

Fresh and fragrant or the whiff of scandal? Protecting your personal brand

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During my time as a reputation, privacy and media lawyer, I have helped clients protect, safeguard, remedy and restore their reputations and brands when they have come under attack. That attack can come from anywhere, and is often unexpected. However, as mentioned in my first piece, there are three main enemies to a respectable reputation and a best-in-breed brand, and they are the media, other people and ourselves.

The press is referred to as the bloodhound and watchdog of society, sniffing out and alerting us to matters of public interest that affect us; and if we are honest, more and more these days providing us with gossip and tittle tattle that simply entertains us. The British press in particular is robust and inquisitive and an attack, or even a word out of place in the pages of a national newspaper or specialist magazine, can seriously impact the manner in which we would want to portray ourselves to the world. Imagine the media hound taking a nasty nip out of your reputation or a chunk out of your brand. The media is even more dangerous today than it once was, as we live in a world where information anywhere, is information everywhere, and where brand-busting allegations can be communicated over the internet to hundreds, thousands and millions of people at the touch of a button.

Other people are brand enemies too. Today, it is not just editors and reporters with some modicum of legal knowledge and an interest in staying on the right side of the law who publish online. Citizen journalists, keyboard warriors and indeed anyone with access to a computer can be a publisher and anyone with a smartphone can be a photographer. With little knowledge of the law of defamation, data protection, privacy, harassment (the list goes on) and even less interest in it, 'other people' can put our reputations, our brands and our privacy at risk; those others can be friends, family, and strangers alike.

Sadly, our third nemesis is ourselves. We fling with gay abandon up against the wall of the internet, information about ourselves and others with little thought of the consequences. The younger generation has a propensity for brand self-harm by living their lives out online and digitally documenting their every move, thought and deed. But what impact is this having on our brand when a moment of madness from the past, an unfortunate political view, a thoughtless musing, comes back to haunt us many years on, and cannot be expunged?

So we see how we are at risk, but how do we protect ourselves from these enemies? How do we restore our reputations and better our brands, if and when they have been damaged? I set out below some thoughts for you to take away. In doing so, I say this: we all live busy lives these days, juggling life and work, children and partner, fun and responsibility. Our big and full to capacity brains, dealing as they do with major concepts and concerns, can sometimes fail to think about the little things that we can do to help ourselves. So whether these be major eye-openers or Mickey-Mouse reminders, I hope that these tips can find their way into your busy heads and your busy lives, and help you keep your personal brand as fresh as a Daisy (now, isn't that a perfume by Marc Jacobs...?)

Reputation restoration

Send is not your friend – We all dash off emails, texts, tweets, even posts and blogs these days, as if we were having a quick chat over the coffee machine. But beware; these publications are permanent and can land you in water as hot as the kettle you are boiling for your favourite cuppa. Re-read your first draft before pressing send to pick up mistakes or hot-headed responses; review long email strings that you might forward to a new recipient, in case there are hostages to fortune buried deep inside; carefully check your intended email and text recipients – is that the correct John/Jon/Jane? – to avoid embarrassment at best and serious damage at worse.

Information is power – If you don't know what is on the online ether, you can't protect yourself if there are dangers lurking there. Regularly monitor through online audits, what information is being published about you, your family or your business; pressure test what can and should be removed on legal grounds. If you are going to act, act fast; when you have identified seriously inaccurate and damaging publications, complain to the authors, notify the publishers, use notice and take-down procedures, take legal advice. Don't believe that damaging statements will just go away without action – they won't, but will be picked up and repeated by reporters, customers and competitors and soon the rumour will be your reputation.

Privacy protection

Limit your exposure – Think of your privacy like an old glass egg-timer; once you allow the sands of privacy to seep from the top into the public domain bowl below you will find it much harder to limit the flow should others infringe your rights. Think carefully before publishing any private information on any social media site, or disclosing it to others for that matter by word of mouth; keep your privacy settings high on any social

media sites that you do use; carefully select and restrict the class of people to whom photos and private and/or family related chat is sent. Your 'friends' do not always turn out to be so friendly...

A stitch in time saves nine – Regularly monitoring the online space for leaks of private and confidential information and photos posted without your consent puts you in the best position to stem the flow later and to continue that metaphor, try to turn that egg-timer upside down. Before it's too late, and your privacy is no longer capable of protection, move quickly to remove unauthorised data from the internet. To protect yourself further from others, think about requiring employees to agree to social media policies; contractors to sign confidentiality agreements; and even family members to consider what privacy means to them and agree a family code or creed, including acceptable social media parameters and reputation and privacy conduct.

Cyber health and safety

Digital fingerprints – We leave a trail of digital prints from our every outing across the keyboard and cannot realistically hope to hop safely from one website to another, to send emails or tweets, to make purchases online and to make calls on our portable devices, without doing so. But knowing that a silver snail-trail is left behind us, we can do our best to limit its impact. We should use unique passwords, vary them regularly, never give them to third parties, and certainly not write them down or input them into our mobile devices (although I am sure we all do!). Our identity and security can be at risk when we scatter information about ourselves like pieces of a jigsaw: limit the exposure of social security numbers, the names of a first pet or favourite place, our mother's maiden name, information about birthdays and trips abroad and take care when using GPS enabled devices.

The best laid plans – The best laid plans of mice and men often go awry. If your best attempts at self-protection go wrong and you feel exposed, consult cyber security firms to stress test systems at home and at work; take advice on putting measures in place where security is insufficient. In the event of a security breach, act fast to plug the gap: seek privacy injunctions, request the removal of data online, obtain orders to freeze assets where they have been stolen, and engage with law enforcement authorities where there are continuing thefts of identity.

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