

"When Do Personal Posts Pose Professional Problems?" *FT Adviser*

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On September 1, 2026, around 37,000 non-bank financial firms became subject to FCA rules bringing serious bullying, harassment, and violence within their scope — rules broad enough to reach employees' personal social media activity. Partner Lucy Blake and Senior Associate Karam Jardaneh authored an article for *FT Adviser* examining new FCA guidance on how firms should handle employees' personal social media activity.

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Lucy and Karam first discuss whether a post falls within the scope of conduct rules, noting that firms must weigh factors like whether the post targets a colleague, whether it relates to work, and whether a work-issued device was used. They then deliberate whether a post calls an employee's fitness and propriety into question, explaining that the FCA narrowed its final guidance to protect "controversial" opinions specifically, while leaving room for offensive conduct, such as threats of violence or a pattern of online harassment, to still be relevant to that assessment.

The authors conclude that firms face difficult, fact-specific judgment calls with real risk of overcorrection. While the FCA has not drawn a clear line between private and professional life, a clear, well-publicized social media policy is one of the strongest tools firms have to defend disciplinary decisions if challenged.

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