

## **E MAIL, INTERNET AND TELEPHONE POLICY**

This is an important policy. It aims to protect the Council and protect us. Please take time to read it.

The policy:

- Sets out general rules for the acceptable use of the system
- Points out that the way we use the facilities made available to us reflects on the Council and can commit the Council legally
- Reminds us of our responsibilities to handle personal and sensitive information properly and that customers' e-mail addresses themselves may be personal information
- Requires staff to contact IT services before sending confidential or sensitive information via email
- Describes how and when personal use of e-mail, internet and telephones is permissible
- Requires us to remove personal e-mail from the Council's systems
- Applies the same principles to the use of personal mobile phones in work time as it does to use of the Council's e-mail, internet and telephone landlines
- Prohibits private use of Council provided mobile phones (where the facility to have a private Line 2 is available)
- Prohibits the use of Council e-mail addresses on public websites for non business purposes
- Sets out requirements for any content we publish privately on the internet e.g. blogs, or pages on social networking websites where we could be identified as working for the Council

The policy also sets out the circumstances in which the Council may monitor our communications.

There can be serious consequences for failing to follow this policy but we do not want to catch anyone out. If you need any clarification of anything in this policy please ask your line manager.

Donna Hall  
Chief Executive

## **E-MAIL, INTERNET AND TELEPHONE POLICY**

### **1. OVERVIEW**

#### **Introduction**

- 1.1 Communication plays an essential role in the conduct of the Council's business. How you communicate with people not only reflects on you as an individual but also on the Council as a whole. In some cases the Council will be legally liable for statements made or actions taken through its communication facilities.
- 1.2 We value our ability to communicate with colleagues, customers, Councillors and partners and the Council invests substantially in information technology and communications systems which enable you to do so more efficiently. We rely on you to use those resources responsibly and this policy sets out the Council's requirements. Please read it carefully.

#### **Who does this policy apply to?**

- 1.3 This Policy applies to all employees, temporary and contract staff (including agency staff) of Chorley Council.

#### **What facilities does this policy cover?**

- 1.4 The facilities covered by this document includes access to all communication facilities provided by the Council including internet and e-mail services, telephones, fax machines, copiers and scanners.

#### **Personal use of facilities**

- 1.5 The Council's communications facilities are provided for the purposes of Council business. A certain amount of limited and responsible personal use by users is also permitted.

#### **What happens if the policy is breached?**

- 1.6 If our rules and procedures are not followed, then use of the Council's facilities may be curtailed or withdrawn. Serious breaches of this policy may lead to disciplinary action being taken against you and could lead to summary dismissal. Less serious breaches may result in formal or informal action being taken dependent upon the nature of the breach.
- 1.7 Some aspects of this policy also deal with matters which amount to criminal offences under the Computer Misuse Act.

### **2. GENERAL PRINCIPLES**

- 2.1 You must use the Council's information technology and communications facilities sensibly, professionally, lawfully, and consistently with your duties. You must use them with respect for your colleagues and for the Council and its Members and in accordance with this policy and any other relevant rules and procedures.

- 2.2 We regularly deal with personal information or with our own or partners' confidential or sensitive information. While the Council strives for openness in its dealings you must treat information which we hold with utmost care.
- 2.3 Modern communication facilities and particularly the internet allow for easy copying of material. Please remember that most material on the internet belongs to someone and reusing it may breach their copyright.
- 2.4 Particular care must be taken when using email. E-mail can be produced in court in the same way as other kinds of written statements. You can enter contracts, bind the Council to certain action or defame a third party by e-mail in just the same way as you can by letter and so create liabilities both for the Council and for you personally.
- 2.5 All messages sent externally using Council systems should demonstrate the same professionalism as that which would be taken when writing a letter. For some internal purposes the Council accepts that the style of correspondence may be less formal. However, you should remember that e-mail may have to be disclosed in legal proceedings or in response to a request under the Data Protection Act or Freedom of Information Act. The golden rule is therefore never to send a message which would embarrass you or the Council if it became public.
- 2.6 Under no circumstances should users communicate material (either internally or externally), which is, defamatory, obscene, or breaches the Council's equal opportunity policies. Any user who is unclear about the appropriateness of any material, should consult their line manager, before sending it.

### **3. USE OF ELECTRONIC MAIL**

#### **Generally**

- 3.1 Users should note that the following disclaimer is added automatically to all external e-mail sent by the Council:

*This e-mail and any attached files are confidential and may also be legally privileged. They are intended solely for the intended addressee. If they have come to you in error you must not use, copy or communicate them to anyone. Please advise the sender and permanently delete the e-mail and attachments.*

*Please note that while Chorley Council has policies in place requiring its staff to use e-mail in an appropriate manner, any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Chorley Council.*

*Chorley Council may monitor e-mails sent or received.*

- 3.2 Do not amend any messages received and, except where specifically authorised by the other person, do not access any other person's in-box or other email folders nor send any email purporting to come from another person.

- 3.3 External e-mail is not a secure form of communication. It is easy to send e-mail to the wrong person. In addition once e-mail has left the Council's systems it is susceptible to interception. For that reason, if you need to send confidential information or personal information which could cause distress if disclosed you should contact IT Services and ask for the email to be encrypted. It is, in any event, good practice to re-read and check an email before sending and to confirm that you are sending the e-mail to the right person.
- 3.4 If you copy an email to others, it may breach the Data Protection Act if it reveals all the recipients' email addresses to each recipient. This is most likely to apply in the case of mailing lists and similar sent to external parties. It could though apply if internal e-mail is being sent relating to personal rather than work matters.
- 3.5 In these cases it may be appropriate to use the 'Bcc' (blind carbon copy) field instead of the 'Cc' (carbon copy) field when addressing an email to more than one recipient. If in doubt, seek advice from your line manager.

### **Business use**

- 3.6 If the email message or attachment contains information which is time-critical, bear in mind that an email is not necessarily an instant communication and consider whether it is the most appropriate means of communication.
- 3.7 If you have sent an important document, always telephone to confirm that the email has been received and read.
- 3.8 In light of the security risks inherent in some web-based email accounts, you must not email business documents to your personal web-based accounts. You may send documents to a customer's web-based account if they have asked you to do so.

### **Personal Use**

- 3.9 Although the Council's email facilities are provided for the purposes of Council business, you may occasionally want to use them for your own personal purposes. This is permitted on the condition that all the procedures and rules set out in this policy are complied with. Be aware, however, that if you choose to make use of our facilities for personal correspondence, you can expect very little privacy because the Council may need to monitor communications.
- 3.10 Under no circumstances may the Council's facilities be used in connection with the operation or management of any other business or for commercial or party political activity.
- 3.11 You must also ensure that your personal email use:
- does not interfere with the performance of your duties;
  - does not take priority over your work responsibilities;
  - is minimal and limited to taking place substantially outside of normal working hours

- does not cause unwarranted expense or liability to be incurred by the Council
- does not have a negative impact on the Council in any way; and
- is lawful and complies with this policy.

3.12 The Council has limited storage space on its servers. You should therefore not store e-mail on the Council's systems unless it is work related. Personal email should either be deleted after being read or forwarded to a personal email account and then deleted. You should note though that email is backed up on a regular basis and deleting it from the live system will not necessarily result in it being deleted for good.

3.13 If you make personal use of our facilities for sending and receiving email you will be treated as having agreed to abide by the conditions imposed for their use, and consented to the Council monitoring your personal email in accordance with this policy. If you do not agree or consent to this then you must not use the system to send or receive personal e-mail.

#### **4. USE OF INTERNET, INTRANET AND OTHER COUNCIL NETWORKS**

4.1 We trust you to use the internet sensibly. Bear in mind at all times that, when visiting a website, information identifying your PC may be logged. Therefore any activity you engage in via the internet may affect the Council.

4.2 We recognise that individuals may have to carry out some personal tasks during working hours, e.g. for internet banking or online shopping, and this is permitted subject to the same rules as are set out for personal email use in item 3.11 of this policy. However, any personal use is entirely at your own risk. The Council accepts no responsibility for any losses you may suffer.

4.3 You must not use your work email address when using public websites for non-business purposes, such as online shopping. Doing so results in you and the Council receiving substantial amounts of unwanted email.

4.4 Access to certain websites is blocked. If you have a particular business need to access such sites, please contact the IT help desk. Access will only be permitted for work purposes.

4.5 You must not:

- seek to gain access to restricted areas of the Council's network;
- access or try to access data which you know or ought to know is confidential;
- introduce any unauthorised software to the Council's systems. In particular you should not open any attachments with an .exe extension or open any attachments which appear to be programs, or download any browser "plug-ins" or programs except under the guidance of IT Services.
- intentionally or recklessly introduce any form of spyware, computer virus or similar malware.
- carry out any hacking activities

- use personal e-mail accounts on Council equipment (this does not prevent you using personal e-mail addresses as an identifier when using external websites).

## **5. USE OF TELEPHONES AND MOBILE PHONES**

- 5.1 The Council accepts that individuals may need to make or receive the occasional personal call. This is subject to the same rules as for personal e-mail set out in paragraph 3.11. These requirements also apply to an individual using their own mobile phone in work time.
- 5.2 The Council's mobile phone arrangements allow for a Line 2 to be available. Calls made on Line 2 are charged directly to the individual whereas the cost of calls on Line 1 is borne by the Council. Consequently no personal calls should be made on Line 1.

## **6. MISUSE OF THE COUNCILS FACILITIES AND SYSTEMS**

- 6.1 Misuse of the Council's facilities and systems, including its telephone, email and internet systems, in breach of this policy will be treated seriously and dealt with in accordance with the Council's disciplinary procedure. In particular, viewing, accessing, transmitting, posting, downloading or uploading any of the following materials in the following ways, will amount to gross misconduct capable of resulting in summary dismissal (this list is not exhaustive):
- material which is sexist, racist, homophobic, xenophobic, pornographic, paedophilic or similarly discriminatory and/or offensive;
  - offensive, obscene, derogatory or criminal material or material which is liable to bring the reputation of the Council and any of its staff or its Members into disrepute;
  - any defamatory material about any person or organisation or material which includes statements which are untrue or of a deceptive nature;
  - any material which, by intent or otherwise, harasses the recipient;
  - any other statement which is designed to cause annoyance, inconvenience or anxiety to anyone;
  - any material which violates the privacy of others or unfairly criticises or misrepresents others;
  - confidential information about the Council and any of its staff or Members ;
  - any other statement which is likely to create any liability (whether criminal or civil, and whether for you or the Council);
  - material in breach of copyright and/or other intellectual property rights;
  - material which appears to be designed to affect support for a particular political party or candidate for election;
  - online gambling; or
  - chain letters or other junk mail of any kind.

## **7. WORKING REMOTELY**

- 7.1 The Council has a Mobile Working Policy which applies to your use of our laptops and other mobile computer equipment (including smartphones and PDA's), and also to your use of your own computer equipment or other computer equipment whenever you are working on Council business away from our offices (working remotely). If you work remotely or take equipment off the Council's premises you must ensure that you are familiar with that policy.

## **8. PERSONAL BLOGS AND WEBSITES**

- 8.1 This part of the policy and procedures in it apply to content that you publish on the internet (e.g. your contributions to blogs, message boards and social networking or content-sharing sites) even if created, updated, modified or contributed to outside of working hours or when using personal IT systems.
- 8.2 The Council recognises that in your own private time you may wish to publish content on the internet.
- 8.3 If you post any content to the internet, written, vocal or visual, which identifies, or could identify, you as a member of the Council's staff and/or you discuss your work or anything related to the Council or its business, customers or staff, the Council expects you, at all times, to conduct yourself appropriately and in a manner which is consistent with your contract of employment and with the Council's policies and procedures. It should be noted that simply revealing your name or a visual image of yourself could be sufficient to identify you as an individual who works for the Council.
- 8.4 If you already have or intend to create a personal blog or website which indicates in any way that you work for Council you should report this to your Director.
- 8.5 If a blog posting clearly identifies that you work for the Council and you express any idea or opinion then you should add a disclaimer such as "these are my own personal views and not those of Chorley Council".
- 8.6 The following matters will be treated as gross misconduct capable of resulting in summary dismissal (this list is not exhaustive):
- Revealing confidential information about the Council in a personal online posting.
  - Criticising or embarrassing the Council, its customers, staff or Members in a public forum (including any website). You should respect the reputation of the Council and the privacy and feelings of others at all times. If you have a genuine complaint to make about a colleague or workplace matter the correct procedure is to raise a grievance using the Council's grievance procedure.
  - If you think that something on a blog or a website could give rise to a conflict of interest and in particular concerns issues of impartiality or confidentiality required by your role then this must be discussed with your Director.

- If someone from the media or press contacts you about your online publications that relate to the Council you should talk to your Director before responding and the Council's press office must be consulted.
- Online publications which do not identify the author as a member of the Council's staff and do not mention the Council and are purely concerned with personal matters will normally fall outside the scope of the policy.

## **9. MONITORING OF COMMUNICATIONS BY THE COUNCIL**

9.1 The Council is ultimately responsible for all business communications but subject to that will, so far as possible and appropriate, respect your privacy and autonomy while working. The Council may monitor your business communications for reasons which include:

- providing evidence of business transactions;
- ensuring that the Council's business procedures, policies and contracts with staff are adhered to;
- complying with any legal obligations;
- monitoring standards of service, staff performance, and for staff training;
- preventing or detecting unauthorised use of the Council's communications systems or criminal activities; and
- maintaining the effective operation of the Council's communications systems.

9.2 The Council will monitor telephone, email and internet traffic data (i.e. sender, receiver, subject; non-business attachments to email, numbers called, the time and duration of calls; domain names of websites visited, the time and duration of visits, and files downloaded from the internet) at a network level (but covering both personal and business communications) for the purposes specified in this policy. For the purposes of your maintenance of your own personal privacy, you need to be aware that such monitoring might reveal sensitive personal data about you. By carrying out such activities using the Council's facilities you consent to our processing any sensitive personal data about you which may be revealed by such monitoring.

9.3 Sometimes it is necessary for the Council to access your business communications during your absence, such as when you are away because you are ill or while you are on holiday. It may also be necessary to monitor the inboxes of staff who have left the organization for a short time after their departure. Unless your mailbox settings are such that the individuals who need to do this already have permission to view your inbox, access will be granted only with the permission of your Director, the Corporate Director ICT or the Chief Executive.

9.4 All incoming email are scanned by Messagelabs on behalf of the Council, using virus-checking software. The software will also block unsolicited marketing email (spam) and email which have potentially inappropriate attachments. If there is a suspected virus in an email which has been sent to you, the sender will automatically be notified and you will receive notice that the email is not going to be delivered to you because it may contain a virus.



## **10. DATA PROTECTION AND FREEDOM OF INFORMATION**

- 10.1 As a member of the Council who uses our communications facilities, you will inevitably be involved in processing personal data for the Council as part of your job. Data protection is about the privacy of individuals, and is governed by the Data Protection Act 1998. This Act defines, among others, terms as follows:
- 10.1.1 "data" generally means information which is computerised or in a structured hard copy form;
  - 10.1.2 "personal data" is data which can identify someone, such as a name, a job title, a photograph;
  - 10.1.3 "processing" is anything you do with data – just having data amounts to processing; and
  - 10.1.4 "data controller" is the person who controls the purposes and manner of processing of personal data – this will be the Council, in the case of personal data processed for the business.
- 10.2 Whenever and wherever you are processing personal data for the Council you must keep it secret, confidential and secure, and you must take particular care not to disclose them to any other person (whether inside or outside the Council) unless authorised to do so. Do not use any such personal data except as authorised by the Council for the purposes of your job. If in doubt get help from your line manager.
- 10.3 For your information, section 55 of the Data Protection Act provides that it is a criminal offence to obtain or disclose personal data without the consent of the data controller. "Obtaining" here includes the gathering of personal data by employees at work without the authorisation of the employer. You may be committing this offence if without authority of the Council: you exceed your authority in collecting personal data; you access personal data held by the Council; to control it or you pass them on to someone else (whether inside or outside the Council).
- 10.4 While the Council is a data controller of all personal data processed for the purposes of our business, you will be a data controller of all personal data processed in any personal email which you send or receive. Use for social, recreational or domestic purposes attracts a wide exemption under the Data Protection Act, but if, in breach of this policy, you are using our communications facilities for the purpose of a business which is not the Council's business, then you will take on extensive personal liability under the Data Protection Act.
- 10.5 The Data Protection Act gives every individual the right to see all the information which any data controller holds about them. The Freedom of Information Act gives general rights to access most other information which the Council holds. It is another reason why personal remarks and opinions must be made or given

responsibly, and they must be relevant and appropriate as well as accurate and justified.

- 10.6 To help you understand and comply with the Council's obligations Data Protection and Freedom of Information Acts you may be offered, and you may also request, training. Whenever you are unsure of what is required or you otherwise need guidance in data protection, you should consult our **Information Manager**. Information about our data protection policies can be found on theloop.

## **11. USE OF GOVERNMENT SECURE INTERNET**

- 11.1 A small number of staff are required to exchange information with other government agencies such as the Department of Work and Pensions via a connection to the Government Secure Intranet (GSI). Given the secure nature of this network, those using it will be required to agree to additional security checks and sign a declaration relating to use of the connection.

## **12. COMPLIANCE WITH THIS POLICY**

- 12.1 Failure to comply with this policy may result in disciplinary action being taken against you under the Council's disciplinary procedures, which may include summary dismissal, and/or in the withdrawal of permission to use the Council's equipment for personal purposes. If there is anything in this policy that you do not understand, please discuss it with your line manager.
- 12.2 Please note that the procedures and policies outlined in this policy, and in any related policy, may be reviewed or changed at any time. You will be alerted to important changes. The most up to date copy of the policy will be published on theloop.

## **13. SYSTEM SECURITY**

- 13.1 The Council has an Information Security Framework which you should also ensure that you are familiar with.