

## ANGUS COUNCIL

## RESOURCES &amp; CENTRAL SERVICES COMMITTEE

17 MARCH 2005

## E-MAIL AND INTERNET POLICY

REPORT BY CHIEF EXECUTIVE, DIRECTOR OF LAW & ADMINISTRATION AND  
DIRECTOR OF INFORMATION TECHNOLOGY**ABSTRACT**

This report seeks the Committee's approval for the adoption of a revised E-mail and Internet Policy.

**1. RECOMMENDATION**

The Committee agree to adopt the E-mail and Internet Policy shown in the Appendix to this report.

**2. BACKGROUND**

The council recognises the considerable benefits that electronic communications technology, like e-mail and the internet, can bring and makes increasing use of e-mail and internet facilities to conduct its business and to deliver services.

The council also recognises that these facilities must be used appropriately to avoid a range of problems including interference with effective service delivery, harm to the council's reputation and damage to the effectiveness to the council's information technology systems.

Furthermore, in addition to having the permanence and legal status of 'traditional' methods of communication, electronic communications are also subject to laws and regulations concerned specifically with the use of computers and information technology. Failure to comply with these various legal requirements may render both the council and individuals and users liable to legal action.

The council currently has an E-mail and Internet Policy which is designed to safeguard both the council and its employees from any detriment connected in the use of the facilities. However this policy has required review in light of the terms of the Data Protection Act 1998 and in particular Part 3 of the Employment Practices Data Protection Code – 'Monitoring at Work'. This Code gives detailed guidance in respect of employment practices arising from the Act and this particular document is intended to ensure that any monitoring activities they adopt, employers follow good practice and comply with the terms of the law.

The current policy has been reviewed in light of the content of this document by the Director of Law & Administration, the Director of Information Technology and the Personnel Services Manager, who have made a number of revisions to the current policy. The revised policy is attached as the Appendix to this report and it is now proposed that this policy be formally adopted by the council.

**3. FINANCIAL IMPLICATIONS**

There are no financial implications arising from the terms of this report.

**4. HUMAN RIGHTS IMPLICATIONS**

The Council's practices in respect of employment records and the changes to these outlined in this report are compatible with an individual's rights under the European Convention of Human Rights.

## **5. CONSULTATION**

All Chief Officers have been consulted on the terms of this report. The trade unions have been consulted on the terms of the E-mail and Internet Policy.

**A B Watson**  
**Chief Executive**

HR/PerServMan

**NOTE** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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

### **Introduction**

This policy is designed to safeguard both the council and all users of its e-mail and internet facilities. It aims to ensure that these are used effectively, for their intended purposes and without infringing legal requirements or creating unnecessary business risk. The policy sets out general principles and specific rules. Its aims are to:

- promote the effective use of email and internet facilities.
- ensure that all users understand how the facilities should and should not be used.
- protect both the council and individuals from the possibility of legal action.
- protect the council's information technology systems from damage.

### **Scope**

This policy applies to all persons granted "user" access to Angus Council provided facilities or equipment. This includes council employees, staff seconded to the council from other organisations and elected members, whether located within or outwith council premises. It also includes council staff connecting to council resources from outwith council premises using non-council equipment and staff employed by other organisations located within council premises using council provided email and internet access.

This policy does not apply to school pupils for whom there is a separate policy.

### **General Principles**

All council resources, including computers and e-mail and internet access, are provided primarily to help you to do your job.

You must use the council's e-mail and internet facilities responsibly, lawfully and in accordance with the terms of this policy.

You must show respect for all other users of the facilities.

You must not use the facilities in any way which is inconsistent with carrying out your job or might conflict with the council's interests.

You must not use the facilities to access, use or distribute any material, or to participate in any activity, which is, or might reasonably be regarded as, distasteful, offensive or indecent or harmful to other users. The following list gives examples of the sort of material or activities will be regarded as unacceptable. It is not exhaustive.

- bullying or harassment.
- personal insults, attacks or abuse.
- racist or sexist activity.
- chain letters or games.
- Pornography.
- you must not use the facilities to:
  - participate in chat rooms or groups etc.
  - place orders for goods or services (unless authorised to do so).
  - carry out any business activity either for yourself or on behalf of someone else.

- upload, download or otherwise transmit commercial software or other material, in violation of its copyright.
- if you identify any abuse or misuse of the facilities you must report it to your manager.

### **Breaches of the Policy**

Employees who do not follow the terms of this policy will be liable to disciplinary action and, depending on the nature of the breach, may also be liable to legal proceedings.

Non employee users of the facilities who breach the policy may have their access to the facilities withdrawn and, depending on the nature of the breach, may be liable to legal proceedings.

### **Personal Use**

The council provides e-mail and internet facilities to help you to carry out your job. However you are allowed limited personal use of these facilities as long as you keep to the terms of this policy.

You should as far as possible use these facilities for personal purposes only outwith your working hours. While composing, sending or reading personal e-mails occasionally during working hours is allowed, frequently spending your time on personal e-mails is not. Similarly, if you have access to the internet you should use it for personal purposes only outwith your working hours.

The general requirement is that your personal use of these facilities must not interfere with doing your job.

The council reserves the right to introduce arrangements for the recovery of the cost of personal use of these facilities in accordance with procedures determined by the Director of Finance.

### **Monitoring**

The council continuously monitors the use of its e-mail and internet facilities. It does this to:

- identify unauthorised, improper or criminal use of the facilities.
- identify breaches of this policy.
- help maintain the security and confidentiality of its information technology systems.
- help maintain the effective operation of these systems.
- check service standards.

To achieve these purposes the council monitors:

- e-mail traffic ie volumes and patterns of usage, message subjects, senders and recipients and the type and size of attachments.
- internet sites visited and the timing and duration of visits.

The council uses filtering software to prevent access to internet sites which it regards as unsuitable. This software will identify and record any attempts to visit sites to which the council has denied access.

The council also employs an email security solution which scans all incoming/outgoing mail for, and removes, virus infections, potentially harmful attachments and unsuitable content.

While monitoring of individual internet and e-mail activity is possible this will not be done routinely unless illegal activity and/or breaches of this policy are suspected.

While the council makes every effort to restrict access to internet sites containing inappropriate material, this cannot be guaranteed due to the constantly changing nature of the internet.

## **Additional Guidelines**

Attached to this policy are guidelines giving further general advice which should assist you in using e-mail and the intranet. The council has also produced guidance called 'Using E-mail' which are contained in the Customer Care Toolkit.

The council also has an Information Security policy and related guidelines which are specifically concerned with maintaining the security and confidentiality of the council's information systems. The policy and guidelines are available on the council's intranet and you should follow them.

## **GENERAL GUIDELINES**

These guidelines should be read in conjunction with the policy. They are designed both to explain the background to the policy and to outline appropriate use and good practice.

### **Using E-mail to Communicate**

E-mail is not always the best way to communicate. Sometimes things are better said on the telephone or in person. Always consider which medium is most appropriate.

You must take care with the content of emails. Because e-mail messages are perceived to be less formal than paper-based communication, there is a tendency to be lax about their content. Bear in mind that all expressions of fact, intention and opinion via e-mail can be held against you and/or the council and are legally binding in the same way as verbal and written expressions or statements. E-mail messages, both in hardcopy and electronic form are admissible in a court of law as are deleted e-mails which can be recovered.

You should not therefore include anything in an e-mail which you cannot or are not prepared to account for. Nor should you make any statements on your behalf, nor on behalf of the council, which do, or may, defame, libel or damage the reputation of any person.

### **Confidentiality**

E-mail is not a secure means of communication. You should be very careful when using it to send confidential or sensitive messages.

Do not rely on the external e-mail to send critical or urgent correspondence as delivery is beyond the control of the council. You should always ask for confirmation of delivery when it is important to know that a message you have sent has reached its recipient. And the simplest way to do this is to ask, in your original message, for the recipient to acknowledge your message by reply.

All external e-mail messages contain a confidentiality statement which is appended automatically before they are sent.

### **Monitoring and Personal Use**

Monitoring of internet usage is based on the login account used. You must never allow anyone to use your computer while you are logged on nor give your account details to allow anyone internet access.

The council must monitor the activities which take place on its e-mail and internet facilities. However in doing this it will take all reasonable steps to protect and respect the privacy of your personal e-mails. It will always try to avoid accessing the content of your personal e-mails in the course of monitoring. The likelihood of this happening will be greatly reduced if all personal e-mails are marked PERSONAL in the subject heading and if all personal e-mails, sent and received, are filed in a folder(s) marked PERSONAL.

In certain very limited circumstances the council may have to access your council related e-mails during your absence eg if you are ill or on holiday. Such access would only be granted with the permission of a senior manager and, in such circumstances, every attempt would be made to avoid inadvertently accessing private correspondence. The likelihood of this action being required will be greatly reduced if, wherever possible, you arrange the diversion of your e-mails to an appropriate colleague during your absence.

### **Virus Protection**

Although the council has implemented extensive anti virus measures, attachments received by e-mail may contain viruses which are difficult to detect. Care must be taken when documents are received from external organisations or individuals.

Hoax virus warnings can be distributed by e-mail. If you receive any virus warnings, notifications or instructions not sent directly from the Information Technology Department, even if the sender is a friend, colleague or acquaintance, ignore the content of the e-mail message and delete it immediately. Do not carry out any instructions within the mail message, open any attached documents nor forward it to other recipients.

Access to all internet e-mail sites eg hotmail, yahoo, from council network PCs is prohibited because of the potential threat of viruses being spread and infecting council systems.

## Broadcasting Messages to All Network Users

'Broadcasting', ie sending an e-mail message to all users on the council's network is not permitted as it would cause major technical problems. This coverage can be achieved by sending a message to departmental mail boxes (eg FINANCE, HOUSING) with a request that the department forward it to all staff within that department. However, sending messages to all departments by this method should only be done with the authority of a senior officer of your department.

## Attachments

Attaching documents to e-mail messages can be extremely useful. However attaching large documents such as manuals or large reports will delay mail delivery to all users across the network. Physical limits on message sizes (including attachments) are in place to minimise disruption to network performance.

## Housekeeping

- Check your e-mail regularly, say twice in the morning and twice in the afternoon – unless your job requires checking at a greater frequency.
- If you are going to be away from the office, ensure that you use your 'out of office assistant' function and leave the following standard message for anyone trying to contact you:

'I am out of the office until xxxx and will respond to you if necessary on my return. If your message is urgent, please contact xxxx on (*insert phone no*). if you are making a request for information of any kind, please redirect your e-mail to [xxx@angus.gov.uk](mailto:xxx@angus.gov.uk) (*insert appropriate Departmental mailbox*).'

This wording **must** be used, as it will help to ensure that the council meets its legal obligations to anyone seeking information under the terms of the Freedom of Information (Scotland) Act.

- Do not let too many messages build up in your folders – delete them if you do not need to refer to them again. Bear in mind that the physical deletion of all messages requires removal from the DELETED ITEMS folder, but remember the need for filing in accordance with your departmental procedures.
- Keeping a large number of messages in your folders can result in disk space problems on the network's servers and this can seriously degrade the performance of the system, not only for you but for everyone else. If there are a large number of messages which you need to keep these should be transferred to personal folders on your PC and the originals deleted from the mailbox folders on the mail server.
- Do not use mailbox folders as your only filing system. The filing of hard copies of important documents may be a legal or audit requirement and the maintenance of accessible file records is a major corporate necessity eg to satisfy the terms of the Freedom of Information (Scotland) Act 2002.

## Downloading Software

Bear in mind that most freeware, shareware etc applies only to private use and if used in a business environment will require a valid licence.

## Training

You cannot make the most of these facilities unless you are fully competent to use them. You are also more likely to cause unintentional damage to information technology systems if you are not fully aware of how they operate. The council offers training in the use of e-mail and internet facilities. Your manager should discuss your IT training needs with you but if you feel that you need training you should discuss this with them.