

ICT Services
Salisbury District Council
PO Box 2117
Salisbury, Wiltshire SP2 2DS

officer to contact: Les Wright
direct line: 01722 434259
email: lwright@salisbury.gov.uk
web: www.salisbury.gov.uk

Report

Subject : Guidelines for Councillors Using ICT Equipment & Software on Loan
Report to : The Cabinet
Date : Wednesday 05 September 2007
Author : L R Wright, Head of ICT Services
Cabinet Member for Resources : Councillor Tony Thorpe

1. Purpose:

To inform Councillors of the guidelines applying to them when using ICT equipment and software loaned to them by the Council for the performance of their duties.

2. Background:

- 2.1 In October 2006, Cabinet approved the current 'Acceptable Use of ICT Equipment & Systems Policy'.
- 2.2 It was determined at full Council on 21 May 2007, that in order to be properly applied to Members using Council loaned equipment and software, particularly when they are working 'offsite' or from home, that this policy should be further revised. This revision is represented by the document entitled 'Guidelines for Councillors using ICT Equipment & Software on Loan' which is now attached as annex 1 to this report.

3. Recommendations:

Cabinet is invited to:

- (1) Note and approve the contents of Annex 1 to this report;
- (2) Formally adopt the guidelines for use by Members using council loaned equipment and software whilst working 'offsite' or from home.



Awarded in:
Housing Services
Waste and Recycling Services



4. Implications:

Financial : None

Legal : "The code of conduct requires that in using council resources Members must act in accordance with the councils reasonable requirements, ensure that such resources are not used improperly, and have regard to the Local Authority Code of Publicity from time to time in force. The Telecommunications (Lawful Business Practice) Interception of Communications Regulations authorise the monitoring of communications on telecommunication and email systems for specified authorised purposes provided that reasonable steps have been taken to inform users that monitoring may take place."

Personnel : None

Community Safety : None

Environmental : None

Human Rights : "Article 8 (right to respect for private and family life) is likely to be engaged by monitoring. Having a policy which has been drawn to the attention of all Members should demonstrate a justifiable interference."

ICT : Contained in report."

Guidelines for Councillors Using ICT Equipment & Software on Loan

ICT Services

July 2007



equipment and software

1. Introduction

- 1.1 You need to be aware that certain aspects of the guidelines refer to the Members Code of Conduct.
- 1.2 Internal and external email systems and the Internet are integral to the council's operations and essential to provide services required by our customers.
- 1.3 The council's ICT equipment and systems are intended to promote efficient communication. These guidelines give advice on the appropriate use of the council's computers including but not limited to PCs, laptops, PDAs, IT operating and telecommunication systems (including email and the Internet) ("IT equipment and systems"). All councillors should familiarise themselves with these guidelines. You need to be aware of the risks involved in the inappropriate use of the council's computers and systems.
- 1.4 All ICT equipment and software provided by the council remain the property of the council. Any information stored either on the network or on a PC or any other council owned equipment is and remains the property of the council. Users are reminded that the intellectual property rights of any material produced as part of their work for the council (whether stored in an electronic or paper format) also remain the property of the council.
- 1.5 Definitions for terms and phrases used are given during the course of the guidelines and at the end in the glossary.

2. Who do the Guidelines apply to?

- 2.1. These guidelines apply to all councillors using ICT equipment and software loaned to them whilst working from their home residence or other off-site locations.
- 2.2 If councillors come in to the council offices and/or use devices that are capable of accessing the councils secure network, then the conditions detailed in the previously approved 'Acceptable Use of ICT Equipment & Systems Policy' (available from ICT Services) will apply to them.

3. Use of council Computer Equipment & Software

- 3.1. This part of the guidelines covers the use of ICT equipment and software on loan, and your responsibilities in relation to the use of this equipment and software.
- 3.2. **Software**
- 3.3. You should note that it is illegal to make copies of the software which has been supplied to you and which you use in the course of your duties. Software issued by the council for your use is licensed to the council and is protected by copyright law. You must not make copies of software, or distribute software that has been copied. This could leave you or the council open to legal action and prosecution.

3.4. **Viruses**

Downloading from the Internet or introducing software programs by means of computer discs, DVDs, CD-ROMs, data keys or other means, can introduce dangerous and potentially business-destroying viruses to IT equipment and software. All software programmes should therefore be virus checked before use on any loaned equipment.

3.5. If, in the proper performance of your duties, you need to transfer data from a computer disc, data key or similar equipment, you should first ensure that the disc/key/etc is virus checked. For guidance on virus checking please contact **ICT Service Desk 01722 434600 email itservicedesk@salisbury.gov.uk**

3.6. If you receive a warning message about a virus or you have reason to believe that you may have a virus on your system, and need help removing it, please contact the ICT Service Desk as above.

3.7. **Security**

You must not allow your PC to be used by an unauthorised person. Keep any passwords confidential, and change them if and when prompted or if you believe they may have been compromised.

3.8. Advice can be obtained from the ICT Service Desk on the use of diaries or mailboxes including the marking of appointments as personal.

3.9. It is good practice to log out and switch off your PC/laptop at the end of your working day.

3.10. If you have access to data and programs belonging to the council or created, held, stored or used by the council, whether in the office or at home or elsewhere, it is your responsibility to ensure the confidentiality of such information.

3.11. If you are responsible for collating, holding, storing or accessing information relating to organisations or people associated with the council, you must comply with the requirements of the Data Protection Act and all Freedom of Information legislation. You should check information for accuracy before it is stored.

4. **Email**

4.1. This part of the guidelines covers use of email and attachments.

4.2. The Freedom of Information Act gives the right of public access to information held by the council. It is important to understand that this may include information contained in emails sent from, received or stored on loaned equipment.

4.3. Messages sent on email systems should be written in accordance with the standards of any other form of written communication and the content and language used in the message should be consistent with best council practice. Further information is given in the councils approved 'Communication Strategy' available from the Corporate Communications Team in the Marketing Economic Development and Tourism Service Unit. Messages should

also be concise and directed to those individuals who need to know about their contents and are affected by them. Do not send anything by email that you would not be prepared to send on the council's headed notepaper.

- 4.4 As required by the councils Dignity at Work Policy, and corporate Equality and Diversity Policy (available from the People and Organisational Development Service Unit) you must not use email to harass colleagues or other recipients by sending messages that are either argumentative, insulting, or phrased in such a way that you know, or ought to know, will cause distress to the recipient ("flame mail"). All councillors and staff are responsible for promoting a working environment which is free from intimidation, humiliation and harassment that violates any person's dignity. Councillors should be particularly careful regarding the contents of their emails, which should not be used to criticise or rebuke users or cause humiliation, particularly when circulated to others by (for example) blind copying.
- 4.5 General email messages to wider groups such as "SDC Distribution" should only be used in an emergency such as flood or fire. In all other situations accepted council communication media such as "the Bulletin or Link Up" should be used. All personal announcements should be placed in the relevant shared public folder (noticeboard) within Outlook.
- 4.6 Council employees' email addresses should only be given out to external recipients (in response to a specific request from external recipients) if such recipients have a genuine business interest in having them. This is to minimise the amount of "junk email" or unsolicited messages ("spam") received. It is preferable to use 'generic' email addresses (such as thecouncil@salisbury.gov.uk or developmentcontrol@salisbury.gov.uk) etc, wherever possible.
- 4.7 You must not pass on any chain letters, "junk email" or spam that you may receive.
- 4.8 It is good practice to carry out regular housekeeping to remove deleted and sent items on a weekly basis.
- 4.9 Should you receive an email message which has been wrongly delivered to your email address do not respond to the sender (because it can validate the email address to the sender). If the email message contains confidential information you must not disclose that confidential information to external bodies such as the media, members of the public, contractors, suppliers or customers, who have no business knowing it. Should you receive an email that contravenes these guidelines, the email should be brought to the attention of the ICT Service Desk (contact details as in 3.5 above).
- 4.10 Confidential information (including Personal Data or Sensitive Personal Data) should not be sent to external bodies (such as those mentioned in 4.9) by email.
- 4.11 Please note that the unauthorised reading of emails that are not addressed to you could constitute a criminal offence.
- 4.12 Although all incoming emails should be automatically virus checked by your PC/laptop computer, it is worth noting that emails and their attachments may carry dangerous or potentially damaging viruses. Never open an email

attachment from an unexpected or untrustworthy source or if, for any reason, it appears suspicious (for example, if it ends in .exe). Such emails must always be virus checked before being opened. If in doubt contact the ICT Service Desk (as in 3.5 above).

- 4.13 You should ensure that the transmission of "Personal Data", for example databases or spreadsheets, outside the council does not infringe the principles of the Data Protection Act 1998 ("DPA") and the councils Data Protection guidelines. See <http://www.salisbury.gov.uk/council/strategies-and-plans/access-to-information.htm>

5. Internet Use

- 5.1 Please remember that websites can provide information on who has visited them. If you visit a site, you may well leave a cookie (a "calling card") that will enable the site owner to work out who has visited. If the website that you visit is an inappropriate one, you are putting the council's and your reputation at serious risk.
- 5.2 The council will not tolerate access to known offensive, sexually explicit or any other inappropriate websites by means of any loaned equipment, systems etc.
- 5.3 If you download or otherwise reproduce copyrighted information, text or other materials, you must adhere to any licensing conditions to ensure compliance with the Copyright, Design & Patents Act 1988, or any relevant succeeding or contingent act.
- 5.4 You should be aware that not all information on the Internet is accurate, complete or reliable, and you should always critically evaluate its validity before using it.

6. Email and Internet Use and Misuse

- 6.1. Misuse of email or the Internet by the intended or negligent viewing, downloading or transmission, distribution or receipt of any material or images listed below (without limitation) may constitute infringement of the Members Code of Conduct. <http://www.salisbury.gov.uk/council/councillors/code-of-conduct.htm>

The material must not be;

6.1.1 Defamatory;

6.1.2 Offensive, pornographic or obscene. This includes not only indecent or obscene materials which it is an offence to possess and/or publish, but also materials which anyone in the office might reasonably view as distasteful or likely to give offence to others;

6.1.3 Untrue or malicious;

6.1.4 In breach of copyright;

6.1.5 In breach of confidentiality of council information;

- 6.1.6 Harassment on grounds of sex, age, religion, religious belief, race, disability, sexual orientation or political belief;
 - 6.1.7 Illegal;
 - 6.1.8 Bullying;
- 6.2 Any incoming emails of the kind referred to in 6.1 above may automatically be stored on the ICT network, and could be forwarded or otherwise distributed. If you receive any such inappropriate email material you must:
- 6.2.1 Delete it – ideally without reading it first where the email is obviously spam (unsolicited junk email).
 - 6.2.2 If the sender is known to you or is not an obvious source of spam, reply to the sender saying that you do not wish to receive such material in the future. You should keep a hard copy of your reply so that you can demonstrate that you have taken the appropriate action. Your attention is also drawn to 4.9 above.
 - 6.2.3 Delete your copy of the incoming material. Never forward inappropriate material, externally or internally, unless requested by the ICT Service Desk for further action by them.
 - 6.2.4 If your actions have failed to prevent the inappropriate material arriving, you should draw this to the attention of the ICT Service Desk (who may be able to block it - contact details as in 3.5 above).

7. Legal Action against the council

- 7.1 Messages sent by email system can create legal obligations on the part of the council and could give rise to legal action against the council. Claims of defamation, breach of confidentiality or contract could arise from misuse. It is therefore vital for email messages to be treated like any other form of correspondence and where necessary hard copies and/or a back-up on a computer readable medium should be retained.
- 7.2 You should not agree to terms or enter into contractual commitments relevant to the council without having first obtained proper authorisation.
- 7.3 You are also reminded that messages are disclosable in any legal action taken against the council and therefore before you send an email, think carefully about its content, and ask yourself how you would feel if you received that message or knew that it may be disclosed in Court.
- 7.4 Processing or disclosure of personal information relating to an individual must be in accordance with the Data Protection Act 1998.

8. Private Use

- 8.1 The council does not object to councillors making reasonable private use of loaned ICT equipment and software provided to enable councillors to work from home provided these guidelines and instructions are observed.

- 8.2 The council does not accept any responsibility for private use or for any liability loss or costs which anyone may suffer in consequence.

9. Care of Loaned Equipment & Software

- 9.1 You must take care when using any ICT equipment and software to avoid causing any damage to them. In particular, you must avoid allowing food and drink into contact with the equipment or allowing small objects such as paper clips and staples to fall onto/into the keyboard. Ensure that there is always good ventilation around the equipment and that it is kept clean. Health and safety information provided by the council should always be observed. If in doubt further advice is available from the ICT Service Desk (contact details as in 3.5 above).

10. Training

- 10.1 Training will be provided as necessary in the correct use of loaned equipment and software, and the interpretation of these guidelines, to enable you to carry out your duties. Please contact the ICT Service Desk (details as in 3.5 above) for further advice, or to arrange appropriate training sessions, including in your own home if required.

11. Monitoring Intercepting and Recording

- 11.1 To ensure that it complies with its own legal obligations and to ensure use is not abused, the council may need to monitor, intercept and record the use of loaned equipment and software, to. You agree to comply with these guidelines, and to the council monitoring, intercepting and recording emails, Internet use, faxed messages and word processed documents which are created, stored, communicated or otherwise made on any loaned ICT equipment and software.
- 11.2 The reason for the monitoring, intercepting and recording in 11.1 above is to check whether your use of loaned ICT equipment and software is legitimate, and that it complies with these guidelines, to find messages that may be lost due to computer failure or malfunction, to investigate allegations of misconduct, for example audit or relevant external bodies investigations, and to comply with any of the council's legal obligations such as the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, the Data Protection Act 1998, Freedom of Information Act 2000 and the Human Rights Act 1998. Even deleted emails may be retrieved for these purposes. Councillors should therefore avoid using council email facilities to communicate any sensitive personal information.
- 11.3 The council's monitoring activities are regularly reviewed and appraised in order to ensure that they are not excessive or disproportionate to the need to protect the systems against infringements or breaches of integrity or security.

12 Publication on the council's website

- 12.1 The council's own public website is an important part of our external communication. You are encouraged to contribute material for this site and to refer to it to develop your understanding of the services that the council provides.

12.2 Before passing any material to the editors in the Corporate Communication Team (MED&T) for publication on the council's web-site, you must ensure that it: -

12.2.1 is accurate, up to date and conforms to the style and layout of the website set by the Corporate Communications Team;

12.2.2 follows the council's branding and style requirements as described in the Editorial Style Guide (available from the Corporate Communications Team);

12.2.3 does not infringe another person(s) or organisation's copyright;

12.2.4 clearly identifies the author and the date of publication;

12.2.5 is consistent with the council's Vision, and Core Values.

12.3 The council owns the copyright to all material published on its website. The unauthorised publication of council material or the misuse of either the council's material, or corporate identity may constitute misconduct. If you discover any such material on the Internet, you must immediately inform the Corporate Communication Team (MED&T) or the ICT Service Desk (contact details as in 3.5 above).

12.4 Any enquiries regarding the content of any material contained on the council's website should, in the first instance, be referred to the Corporate Communication Team (MED&T).

13. Restriction of use

13.1 The council reserves the right to restrict the use of any of its equipment and/or software in the event of any breach of these guidelines.

14. Glossary of Terms

Data Subjects

An individual who is the subject of personal data

Domain Name

Text name identifying the council across the Internet - 'salisbury.gov.uk'

External bodies	The media, members of the public, suppliers or customers (including members of the public who are not employees, agents, officers or councillors of the council)
File Server	A computer that stores data for Network users and provides Network access to that data
Flame Mail	Messages that are either argumentative, insulting or phrased in such a way that you know, or ought to know, will cause distress to the recipient
Intercept	The contents of communication being available other than to the sender or recipient.
Loaned Equipment and Software	ICT Equipment and software loaned by the council including but not limited to PC's, laptops, PDAs, operating and office software, telecommunications systems (including email and the Internet) etc.
Monitoring	Observe, supervise, keep under review, measure or test at intervals of transmission for the purpose of control or regulation.
Network	An interconnected system of computers (including file servers) each belonging to the council, which can communicate with each other via the council's operating and telecommunications systems and share files, data and resources or the operating and telecommunications mechanism of the council, including the file servers and computers or the information stored on a central information system (owned by the council) including the computer file

servers.

Personal Data

Biographical information such as a person's name, age, address or details of a worker's salary and bank account or completed job application forms

Personal Use

Use of IT equipment and systems for private and non-council business related purposes

Privileged/Authorised User

[User authorised by another user or designated as a Privileged User by the council]

Recording

Registering, setting down for reference or retrieval

Sensitive Personal Data

Information relating to a user's racial or ethnic origin, political opinions, religious beliefs or other beliefs or a similar nature, trade union membership (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992), physical or mental health or condition, sexual life, commission or alleged commission of any offence or proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

Spam

Unsolicited email messages received

Your PC

A computer terminal, including but not limited to any desktop handheld or laptop computer designated for your use