

Dumbleton Parish Council

Email Policy 2021

Adopted 15/09/2021
To be reviewed every two years
or on change of legislation

CONTENTS

Introduction	2
1. Scope	2
2. Policy Statement	2
3. Use of Email Facilities	2
4. General Guidance	3
5. Business Use	4
6. Inappropriate Use	4
7. Accidental Access to Inappropriate Material	5
8. Monitoring	5
9. Responsible Officer	5
10. Electronic Working and Receipt of Agendas and Supporting Information	5
11. Terms and Conditions of Use	6
12. Good Practice	7
13. Setting Up and Closing an Email Account	7
14. Restriction of Email Service	7
15. Disclaimer Wording	8

INTRODUCTION

This Council has agreed that all councillors, employees, volunteers and any other person who is directly connected with the council will use the adopted official email addresses for ALL Parish Council email communications.

No councillors, employees, volunteers and any other person who is directly connected with the council will use any other email address (including any personal email address) for ANY Parish Council email communications.

This Parish Council acknowledges the Information Commissioners Office Guidance on use of emails and personal emails in "Bring Your Own Devices" and has opted to exceed the standards suggested by adopting a unified email address system.

This has been agreed as under the Freedom of Information Act, the Data Protection Acts and the General Data Protection Regulations ALL email accounts that contain council emails may be inspected by a competent authority. This will ensure full compliance with the need to compromise personal information.

The council believes this is the most efficient and effective way of working together and keeping in touch with the community but before you can make use of this facility, there are some things you need to know.

Except for the Chairman, you have been provided with an email account in the form of *firstinitialsurname@dumbleton-parish-council.org.uk* specifically for your work with the Parish Council.

The Chairman's email is *chairman@dumbleton-parish-council.org.uk*. Use of this generic address ensures continuity and access when the incumbent changes.

1. SCOPE

- 1.1. This Policy applies to elected members, employees, volunteers and any other person who is directly connected to Dumbleton Parish Council.

2. POLICY STATEMENT

- 2.1. Dumbleton Parish Council encourages the effective use of email.
- 2.2. Such use must always be lawful and must not compromise the Council's information and the Clerk's systems.
- 2.3. All users must ensure that their use of email will not adversely affect the Council or its business and not damage the Council's or its employees' reputations or otherwise violate any of the Council's policies.

3. USE OF EMAIL FACILITIES

- 3.1. All users must use email responsibly. Dumbleton Parish Council reserves the right to take disciplinary or legal action against any person who fails to comply with this policy.
- 3.2. All users must accept and agree that communications both to and from the Council via email may be monitored for the purpose of ensuring appropriate use of this methodology.
- 3.3. Users should also be aware that deleted emails may still be accessible from back-up procedures.
- 3.4. All email correspondence is subject to Data Protection and Freedom of Information and should only be used for communication of a Council nature not personal.

4. GENERAL GUIDANCE

- 4.1. Do not use email to make decisions or influence decisions that should be made at a meeting of the council. Standing Orders and the Code of Conduct are clear on the rules of debate and you should check them if you are in any doubt.
- 4.2. The law does not allow councillors to act independently, and you should make sure that you do not imply that the content of your email represents the opinion or policy of the council as a whole. As an individual, you can think, say and write what you like, but as a councillor, your view can only be the view of the whole council.
- 4.3. When you use the parish account to send an email, the recipient can be excused for thinking it is an 'official' communication sent on behalf of the council. You should be particularly careful if you are agreeing to do something as it may be seen as a commitment by the Parish Council.
- 4.4. Your parish emails are not confidential. Emails are subject to Freedom of Information so please ensure all communication is appropriate to the businesses transacted and does not cause embarrassment or contravene the ethics of a person or the Council as a corporate body.
- 4.5. No disclaimer will help if you send an email that contains illegal, offensive, obscene, racist, abusive material or libellous, defamatory or discriminative material which may bring the council into disrepute.
- 4.6. The only person who can author an official email is the Clerk who writes on your behalf to give the Council's views. Sometimes there will be good practical reasons why these official emails should be sent or forwarded from a Councillor's account. Normally it will be because you have been asked to do so, but if there is any doubt about your authority to write or send such an email, please check with the Clerk first.
- 4.7. Messages sent to groups of people must be relevant to all concerned and if not to Council Officers or fellow Councillors please ensure you refer to the General Data Protection Regulations 2018 with regards to sharing of data which includes email addresses.
- 4.8. Councillors are required to check their emails on a regular basis to ensure they do not miss any valuable communications that will now take precedent as the Council's referred method of contact.
- 4.9. The Clerk may, from time to time, choose to operate a filtering system in order to monitor offensive or clearly inappropriate material and may quarantine any messages in that category.
- 4.10. Page 4 of this policy provides the terms and conditions for the dumbleton-parish-council.org.uk domain. By using the Parish Council's email address, you are agreeing to abide by them so please make sure you understand the rules.

5. BUSINESS USE

- 5.1. The Clerk has the sole authority to purchase or acquire goods or services on behalf of the Council via email. Users are informed that email messages have the same status in law as written correspondence and are subject to the same legal implications, e.g. may be required to be disclosed in Court.
- 5.2. Users are required to apply the same high standards to emails as those applied to written correspondence. Email inboxes must be checked regularly to ascertain all correspondence within that system.
- 5.3. All users must comply with the relevant licence terms and conditions when copying and/or downloading material. Users accept that there is no guarantee of delivery of emails unless acceptance of delivery is requested of the recipient.
- 5.4. Please ensure that when responding to emails you consider any personal data included to ensure that it is not against the General Data Protection Regulations 2018 and the Freedom of Information Act 2011.
- 5.5. If a member of the public contacts a Councillor direct via email, you must ensure that you speak to the Clerk in the first instance regarding a response. No single Councillors has the responsibility to respond on behalf of the Council unless so directed at a meeting. All correspondence must be copied to the Clerk to ensure that the correct information is given and does not contravene, GDPR, FOI or policy.

6. INAPPROPRIATE USE

- 6.1. Users must not use email to abuse or inflame others or to harass or threaten anyone. Responding to abuse/bullying, harassment or threatening will not be accepted as an excuse for inappropriate language and/or behaviour.
- 6.2. Recipients of abusive/bullying or threatening emails related to the business of the Council must immediately inform the Clerk or Chairman.
- 6.3. Users must not send emails containing obscene, abusive or profane language.
- 6.4. Users must not send, access, display, download, copy or circulate information containing stories, jokes, anecdotes or other material that contain:
 - i. pornography or sexually orientated images
 - ii. gambling
 - iii. gaming (playing computer games)
 - iv. promotion of unlawful discrimination of any kind
 - v. promotion of racial or religious hatred
 - vi. threats including the promotion of violence
 - vii. fraudulent or illegal material promotion of illegal and/or unlawful acts
 - viii. information considered to be offensive, inappropriate or disrespectful to others
 - ix. unauthorised and copyrighted material including music.

- 6.5. Dumbleton Parish Council will report to the police all known incidents in which users intentionally send or receive emails containing the following:
- i. images of child pornography or child abuse
 - ii. adult material/pornography that breaches the Obscene Publications Acts (1959 & 1964)
 - iii. criminally racist material
- 6.6. Users must not send, receive or disseminate proprietary data or any confidential information belonging to Dumbleton Parish Council to or from a third party unless authorised.

7. ACCIDENTAL ACCESS TO INAPPROPRIATE MATERIAL

- 7.1. If inappropriate material is accessed accidentally, users must report this immediately to the Chairman. It can then be taken into account as part of the Council's monitoring procedure.

8. MONITORING

- 8.1. Serious breaches of this policy by a Council employee will amount to gross misconduct and may result in dismissal. Serious breaches of this policy by councillors, members of the public or members of any other organisation or company will result in legal or police action.

9. RESPONSIBLE OFFICER

- 9.1. The Clerk will be responsible for the administration of this policy on behalf of Dumbleton Parish Council and will report breaches to the Chairman of the Council for advice about further action.

10. ELECTRONIC WORKING AND RECEIPT OF AGENDAS AND SUPPORTING INFORMATION

- 10.1. Dumbleton Parish Council sends all its agendas and supporting paperwork to designated secure Parish Council email domains as a PDF or Microsoft Word file. Generally, files will be received three clear days prior to the meeting.
- 10.2. It is the responsibility for the Councillor to check their emails to confirm receipt.

11. TERMS AND CONDITIONS OF USE

- 11.1. Whereas Dumbleton Parish Council (the Council) is the licensee of the domain *dumbleton-parish-council.org.uk* (the Domain) it authorises its members, officers and employees to hold and use email accounts within the Domain. The account holders agree that the Council is a legal entity in its own right and separate from any of its members.
- 11.2. Account holders within the Domain consent to receive Summons and Notices of Meetings by electronic means if previously agreed with the clerk.
- 11.3. The number of email accounts may be amended from time to time as the Council sees fit.
- 11.4. The names of any email accounts including any aliases shall have no meaning or context beyond that of being a device to identify and differentiate the account holders within the a. Council's Domain.
- 11.5. The council shall be held harmless from any claims made or views expressed or any other content within an email distributed from the domain by its members through the inclusion of a footnote Disclaimer, the wording of which shall be determined by the Clerk and included here. The Disclaimer should be appended to all outgoing emails (if email clients allow).
- 11.6. An email may be signed by the Council itself by using only the words "Dumbleton Parish Council". Any such email must be both sent from the Clerk's account *clerk@dumbleton-parish-council.org.uk* and authored by the Clerk or by a member acting under the Clerk's instruction.
- 11.7. An email may be signed by the Clerk by using his/her name, title and the words "Dumbleton Parish Council". An email authored by the Clerk shall be the same as if it had been authored by the Council itself.
- 11.8. All outgoing emails from the domain regardless of the author shall observe relevant data protection legislation and must not include in the text of emails to be sent, or in files attached to them, sensitive personal data without appropriate protection in order to comply with the Data Protection Act 1998 and General Data Protection Regulations 2018. Emails to multiple addresses outside of Council addresses should be sent as blind copy, (bcc).
- 11.9. Members may use the Council's email accounts for council business only. The Council's email accounts must not be used to register on any shopping or social media site or system that is not Council related, such as a personal Facebook, ebay, Instagram or Twitter accounts.
- 11.10. Members should not deliberately delete emails that refer to council business, however, members may delete emails that do not refer to council business such as unintended SPAM email or marketing emails.
- 11.11. Members should be aware that any or email emails received or sent may be retained in an overall system archive, even if they have been deleted from your own email account, this is to ensure that we comply with Data Protection laws and in accordance with the Dumbleton Parish Council's Document Retention Policy

12. GOOD PRACTICE

- 12.1. Users should not send or forward any chain emails (e.g. jokes and virus warnings) from their Council email account as both of these can contain malware. In addition, almost all virus warnings and police warnings circulating via email are hoaxes.
- 12.2. Remember that the authenticity of any email received cannot be guaranteed, especially with the prevalence of email “spoofing” (emails pretending to come from a source gathered through dubious means). In particular, users should always avoid opening any attachments to emails that are unexpected.
- 12.3. When sending an email, users should only “cc” and “bcc” people who really need to be informed. Users should take care when using the “Reply to All” function as this may be inappropriate, especially when you have been the blind recipient.
- 12.4. Email etiquette construes capitalisation as SHOUTING, so it’s best to avoid inappropriate use of upper case in messages.

13. SETTING UP AND CLOSING AN EMAIL ACCOUNT

- 13.1. The Parish Clerk (or other designated person) will set up a new email account as required.
- 13.2. For new councillors, this will normally be within 72 hours of becoming a councillor and for any other position it will normally be within 7 days.
- 13.3. When councillors, employees, volunteers and any other person who is directly connected with the council ceases to be part of the Parish Council, their email account will be closed down and all emails (sent or received) will be archived in accordance with the law

14. RESTRICTION OF EMAIL SERVICE

- 14.1. If it becomes clear that any councillor, employee, volunteer or any other person who is directly connected with the council is misusing the email system and using it in a way that a competent person would deem as being inappropriate, then the Parish Clerk (after consultation with the Chair of the Council or in their absence the Vice-Chair) may restrict or suspend the account.
- 14.2. This will only normally occur if:
 - i. A person is sending inappropriate emails.
 - ii. A person is sending emails that are deemed to be harassing.
 - iii. A person is sending emails that are in breach of equality law.
 - iv. A person is sending political emails.
 - v. A person is sending deliberately damaging emails.
 - vi. A person is sending emails that do not represent Council doctrine.
 - vii. A person is sending emails containing confidential information to third parties, without express permission.
 - viii. A person is sending emails that deliberately breach of Data Protection Laws or General Data Protect Regulations.
 - ix. A person is found to be forwarding council business via personal emails that have been sent to them via the council email system

15. DISCLAIMER WORDING

Use the following to create an email signature that must be included with any email (new or reply) from the Council's domain:

Parish Councillor

Dumbleton Parish Council

dumbleton-parish-council.org.uk

Disclaimer: Information contained in this email or any attachment may be of a confidential nature which should not be disclosed to, copied or used by anyone other than the addressee. If you receive this email in error, please notify the sender immediately and do not use, or disclose its content to any other party and delete the email from your computer.

Any views or opinions expressed are those of the author and do not represent those of Dumbleton Parish Council.

Virus Warning: although this email and any attachment are believed to be free from viruses, it is the responsibility of the recipient to ensure that they are virus free. No responsibility is accepted by Dumbleton Parish Council for any loss or damage arising in any way from their receipt, opening or use.

This policy has been drawn up to comply with the Data Protection Act 2018, the General Data Protection Regulations 2018, The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018, Freedom of Information Act 2000, Cabinet Office Guidance (2010 – 2020), the Standards Board of England Guidance, NALC Guidance and the Government Transparency Code 2015.