

# Executive Board

## June 20<sup>th</sup> 2016

### Amendments to Email Usage & Monitoring Policy

#### Recommendations / key decisions required:

Accept the amendments to the Policy

#### Reasons:

The amendments are proposed in order to strengthen the policy enabling it to meet statutory obligations. Recommendation made at Policy and Resources Scrutiny (in February 2014), to clearly define email filtering and access authorisation to email.

#### PEB :

Relevant scrutiny committee to be consulted – Policy and Resources June 9<sup>th</sup>

Exec Board Decision  
Council Decision

**Yes**  
**No**

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr David Jenkins

**Directorate**  
**Chief Executive**

**Name of Head of Service:**  
**Noelwyn Daniel**

**Report Author:**  
**John M Williams**

#### Designations:

Interim ICT Manager

ICT Security Manager

#### Tel Nos./ E Mail Addresses:

01267 226270

[NDaniel@carmarthenshire.gov.uk](mailto:NDaniel@carmarthenshire.gov.uk)

01267 226311

[jmwilliams@carmarthenshire.gov.uk](mailto:jmwilliams@carmarthenshire.gov.uk)

**EXECUTIVE SUMMARY**  
**EXECUTIVE BOARD**  
**JUNE 20<sup>TH</sup> 2016**

**SUBJECT**

**Amendments to Email Usage & Monitoring Policy**

**BRIEF SUMMARY OF PURPOSE OF REPORT**

A review of the policy has been undertaken to ensure it meets all current legislative requirements. Following a recommendation made by P&R Scrutiny, additional information has been provided on email filtering & monitoring. Certain section of the policy have been amended, and an additional section added.

The amendments being proposed are:

Amendment to **Section 3.1** to include reference to the Regulation of Investigatory Powers Act 2000 and The Telecommunications (Lawful Business Practise) (Interception of Communications) Regulations.

Amendment to **Section 5.7** following advice from Human Resources from:

*'No employee, elected member, consultant or contractor will send, forward or receive emails that in any way may be interpreted as insulting, disruptive or offensive by any other person, or company, or which may be harmful to staff morale. Examples of prohibited material include but are not limited to'*

To:

*'No employee, elected member, consultant or contractor will send, forward or receive emails that in any way may be interpreted as insulting, disruptive or offensive by any other person, or company, or which contravene the **Authority's Behavioural Standards in the Workplace policy**'.*

Amendment to **Section 6.1** to include Freedom of Information Act 2000.

Amendment to **Section 7** heading from 'Monitoring principles' to 'Automated monitoring and filtering'. This is to define that email filtering is an automated process.

**Section 8** : '*Requests for information, investigations and tracking*' has been added to clarify who has authorisation to access staff and members email for the purpose of information, investigation and tracking of emails.

**DETAILED REPORT ATTACHED ?**

**YES – Policy attached.**

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Noelwyn Daniel Interim ICT Manager

|   |            |           |           |                        |                       |                 |
|---|------------|-----------|-----------|------------------------|-----------------------|-----------------|
| Policy, Crime & Disorder and Equalities | Legal      | Finance   | ICT       | Risk Management Issues | Staffing Implications | Physical Assets |
| <b>YES</b>                              | <b>YES</b> | <b>NO</b> | <b>NO</b> | <b>YES</b>             | <b>YES</b>            | <b>NO</b>       |

### 1. Policy, Crime & Disorder and Equalities

This policy governs the Council's approach to managing its email facilities, ensuring the best interests of both staff and the Council are upheld.

### 2. Legal

Certain breaches of the Data Protection Act are criminal offences (e.g. selling personal data) for which an individual can be prosecuted. Other breaches of the DPA can involve civil penalties against the authority. Breaches of FOIA and RIPA could give rise to civil claims against the authority.

### 3. Risk Management Issues

There is a risk that Council emails could purposely or inadvertently be accessed by unauthorised users if this policy is not adhered too.

### 4. Staffing Implications

Staff and Members will be expected to comply with the amendments to the policy. Employee consultation has taken place.

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Noelwyn Daniel Interim ICT Manager

1. Scrutiny Committee – N/A
2. Local Member(s) – N/A
3. Community / Town Council – N/A
4. Relevant Partners – N/A
5. Staff Side Representatives and other Organisations – Yes, employee consultation with trade unions on 22<sup>nd</sup> October 2015

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report: THESE ARE DETAILED BELOW :-

| Title of Document                           | File Ref No. | Locations that the papers are available for public inspection   |
|---|--------------|---|
| Regulation of Investigatory Powers Act 2000 |              | <a href="http://www.legislation.gov.uk/ukpga/2000/23/contents">http://www.legislation.gov.uk/ukpga/2000/23/contents</a> |