



## Communication Devices, Internet & Email Acceptable Use Policy

Application	All staff, Councillors, Consultants, Other Authorised Personnel and Volunteers with access to Council-provided communication devices and Council-provided internet access.
Responsible Officer	HR/WHS Coordinator
File No	CM:POL:CWP
Authorised by	Council
Effective Date	1056/20.08.2019
Distribution	Internet / Intranet / Public Display

### Purpose

The policy provides direction to Councillors and Council staff on appropriate use of Council-provided communication devices and the internet

Carrathool Shire Council staff and Councillors must be efficient, economical and ethical in their use and management of public resources. Communication devices and services, such as telephones and e-mail, are public resources provided for business purposes and all users have a responsibility to ensure their proper use.

### Definitions

A communication device includes:

- Telephones • Facsimiles • Mobile telephones • Computers (including but not limited to desktop personal computers, notebook or laptop computers, tablet computers, iPads and servers)
- Two-way radio devices • Other peripheral devices such as scanners, printers, photocopiers, speakers etc. The principles contained in this policy, however, are equally applicable to any other communication device provided by Carrathool Shire Council for business use.

The internet includes:

- Electronic Mail (E-mail), • the World Wide Web, • online mobile applications, and • “peer-to-peer” networking sites

Again, the principles contained in this policy are equally applicable to any other service or platform provided via the internet.

Access to the internet may be via

- A fixed line connection • a data connection through a mobile telephone or other device • a satellite connection

Accountability: The principle that individuals, organisations and the community are required to account to others for their actions. Organisations and their employees must be able to account to appropriate regulatory authorities, to shareholders or members, and to the public to meet statutory obligations, audit requirements, relevant standards and codes of practice, and community expectations.

Business Activity: Umbrella term covering all the functions, processes, activities and transactions of an organisation and its employees. (AS 4390 Part 1 – Clause 4.6)

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To support the continuing conduct of business, comply with the regulatory environment and provide necessary accountability, organisations should create and maintain authentic, reliable and useable records and protect the integrity of those records for as long as required. (AS ISO 15489 def 7.1, page 6, Part 1: General)

Documents: Structured units of recorded information, published or unpublished, in hard copy or electronic form, and managed as discrete units in information systems.

Electronic Mail - (E-mail): E-mail is a computer-based message sent over a communications network to one or more recipients. It may be transmitted with attachments such as electronic files containing text, graphics, images, digitised voice and video or computer programs.

Electronic Messaging: Electronic Messaging is a generic term encompassing all forms of electronically mediated communication. This includes electronic mail for text messages, voice mail, electronic document exchange (Electronic FAX), electronic data interchange (EDI), and multimedia communications such as tele/video conferencing and videotext. It involves the electronic transmission of information as discrete electronic messages over computer-based data communication network or voice messages over a telephone network.

Electronic Records: Records communicated and maintained by means of electronic equipment.

Employee: Applies to any individual having employee functions or acting in a employee capacity, including any volunteer, consultant or contractor who in the course of performing a service for Council is provided access to communication devices owned by Carrathool Shire Council – it includes the General Manager.

Evidence: Information that tends to prove a fact. Not limited to the legal sense of the term.

Facsimile: Refers to a communication device that converts each picture element of black and white into an electric signal. These signals in turn generate a constantly changing electrical signal that is transmitted on a data circuit (or telephone line) to a receiving facsimile.

Intranet: Is an internal (restricted) network that uses Internet technology, accessed over a personal computer.

Pager: Refers to a small telecommunications device that receives short radio messages - generally used by people who are continually changing their location. Pagers 'beep' when a message is received.

Radio: Refers to wireless electromagnetic means of point to many point communications.

Record: Means any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means.

Records: Recorded information, in any form, including data in computer systems, created or received and maintained by an organisation or person in the transaction of business or the conduct of affairs and kept as evidence of such activity.

Records Disposal Authority: A systematic functional listing of records created by an organisation which plans the life of those records from their creation to their disposal e.g. GDA 10.



**Recordkeeping:** Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

**Telephones:** Include (but not limited to) hard wired desk telephones, cordless and mobile telephones, 'Smart phones' PDA's

### Reference

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

*Local Government Act 1993*

Local Government (General) Regulations 2005

Workplace Surveillance Act 2005

Road Rules 2008

### Policy Statements

#### Economic Use

Staff and Councillors are encouraged to use electronic means of communication where appropriate. Computers and other electronic communication equipment should be used in as efficient a manner as possible.

#### Electronic Mail

Electronic mail (e-mail) is a business communication and sending it is classed as a business transaction. All e-mails sent or received via the Carrathool Shire e-mail address are the property of Carrathool Shire Council and can be subject to monitoring and screening.

Sending an e-mail from your network account is similar to sending a letter on the council's letterhead. E-mail transactions should be handled with the normal courtesy, discretion and formality of all council communications.

Using Council's e-mail facilities for communicating with family and friends is a limited privilege which should be negligible and not interfere with work responsibilities or business productivity.

Use of Council's e-mail system for the benefit of a charity, sports, religious, trade, or industry groups is subject to the authorisation of the General Manager.

In the event that private material is received or sent from council communication devices, privacy of this material is not guaranteed. Personal e-mails that contain inappropriate material and are excessive in size or frequency may be blocked and the sender blocked from sending further e-mails to Council.

Viruses should be reported to the Director Corporate Services immediately, and care needs to be taken to prevent unauthorized use of copyright material.

It is acknowledged that a user may at times receive unsolicited material which is in breach of this policy. In this event it is the duty of the user to immediately delete the offending material.

#### Internet use and restrictions

Using Council's internet facilities for personal use is a limited privilege which should be negligible and not interfere with work responsibilities or business productivity.



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The Council has the means to monitor use of the internet on the Council's equipment and to restrict access to particular applications and/or sites, either on a Council-wide or a user-by-user basis.

Access to websites and/or applications will be blocked if:

- The site contains material that is racist, discriminatory, derogatory or obscene or otherwise offensive.
- Use of the site is not consistent with maintaining staff productivity. This includes, but is not limited to, online games, social networking sites, online auction sites, instant messaging applications etc.
- Use of the site or application may compromise network security or performance.

Other sites may be blocked as determined by the General Manager on a case by case basis.

Allowing access to a blocked site or application will only be made if it can be demonstrated to the satisfaction of the General Manager that the site is:

- Related to the performance of the duties as per their job description or general responsibilities, or
  - Will not affect workplace productivity or be otherwise inappropriate for a work environment.
- The blocking and unblocking of websites and/or applications must only occur on the advice of a Director/Manager.

With the express permission of the General Manager, use of social networking sites such as Facebook and Twitter may be approved for the purposes of informing the public about Council matters. Such use will be in line with the Council's policies on the provision of information to the public.

### **Record Keeping**

Business communications sent electronically (e.g. e-mail messages) become official records, subject to statutory record keeping requirements. Electronic records are subject to the same standards of record keeping that apply to paper records and should be filed in the relevant property and/or subject file in council's central filing system.

Some electronic records cannot be maintained in hard copy form without loss of content or meaning and are best maintained in electronic form. Such messages must be maintained in an electronic form with appropriate back-up measures instituted. Care should be taken before deleting any electronic business communication.

Records that document business activity are vital for supporting informed decision making, corporate memory and ensuring accountability.

E-mail containing evidence of business transactions such as:

- A directive or approval for a particular course of action
- Formal communications between internal officers or external agencies
- Final versions of reports
- Policy documents and Statements
- Formal minutes of Council Committees

Which are not already captured in any other form e.g. hard copy format or faxes should be captured into the Magiq recordkeeping system.

This material is distinct from:

- Information only messages
- Duplicates or working copies / memos



- Private messages or personal comments between officers which would not provide evidence or be required for accountability purposes.

### **Security**

Staff and Councillors should be alert to the possibility that any messages conveyed through communication devices can be intercepted, traced or recorded. Such practices are normally illegal, but there can be no expectation of privacy. Password or personal identity number protection should be used on all mobile devices (eg. mobile telephones, laptop computers, pagers) that are vulnerable to theft.

Information regarding access to council's computer and communication system shall be considered as confidential and should not be divulged without authorisation.

New devices or software should only be installed with the express permission of the Council's Director Corporate Services and the misuse of user privileges will not be tolerated.

### **Unlawful Use**

The use of any telecommunications system to make or send fraudulent, unlawful, or abusive information, calls or messages is prohibited. Persons receiving any threatening, intimidating or harassing telephone calls or electronic messages should immediately report the incident to their immediate supervisor who will report the incident to their Director (or in the absence of their Director the General Manager). Persons who initiate fraudulent, unlawful or abusive calls or messages may be subject to disciplinary action and possible criminal prosecution.

The use of a hand held mobile telephone while driving is an offence under the Road Rules 2008 and Carrathool Shire Council will not be responsible for the payment of any fines incurred.

All Councillors and employees should be aware that it is illegal to record telephone conversations unless authorised under relevant legislation to do so.

### **Personal Use**

The Council acknowledges that family and community responsibilities impact on Council business. It therefore accepts that its communication devices may need to be used for personal reasons.

Such use should be infrequent and brief, and should not involve activities that might be questionable, controversial, offensive, or could cause embarrassment to the council. This includes gambling, online auction sites, accessing chat lines, pornography, transmitting inappropriate jokes, sending junk programs or mail that could be considered racist, discriminatory, derogatory or obscene.

Personal use does not extend to the sending of non-business related written material to any political organisation.

The use of Council communication devices in the operation of any business activity other than legitimate Carrathool Shire Council business is prohibited.

Personal use of Council-provided communication devices is not considered private, and staff and Councillors using such devices do not have the same personal rights as they would have when using private or public communication devices.

Persons reasonably suspected of abusing personal use of Council-provided communication devices may be asked to explain such use (which may be monitored as part of the council's responsibility to implement appropriate control mechanisms). Persons who continue to disregard Council's communication devices policy will be subject to disciplinary process applicable to them.



The guidelines for personal use as outlined in this policy relate equally to travel- related use of Council-provided communication devices.

While Councillors provided with mobile telephones and tablet computers are permitted to personalise those devices to suit their individual needs, use of the devices must remain consistent with the Council's Policy on the payment of expenses and provision of facilities to Councillors and Mayors.

### **Industrial Awards and Enterprise Agreements**

Nothing in this policy over-rides the rights of accredited union delegates to use council's communication devices in accordance with the conditions contained in properly constituted industrial instruments or other legislation.

### **Monitoring**

All staff and Councillors should be aware that their use of communication devices may be randomly monitored to ensure adherence to the policy

### **Lost, stolen or damaged council devices**

Council expects all employees who have been allocated mobile devices to take utmost care and responsibility for them.

If a mobile device is lost, stolen or damaged, it should be reported to their immediate supervisor as soon as possible and relevant paperwork completed.

Depending on the circumstances in which the mobile device was lost, stolen or damaged, the employee may be held responsible for replacing the device if the loss, damage or theft was caused or contributed to by the employee lack of care.

### **Return of mobile devices**

On termination of employment or otherwise at the request of Council, an employee who has been issued with a Council mobile device must return the device to their immediate supervisor. Any battery chargers or other accessories supplied by Council for use with the mobile device must also be returned.

### **Telephones and Private Use**

Private or personal use of telephones during work time and/or in work areas:

Reasonable personal use of Council's telephones is permissible; however, personal use is a privilege, which needs to be balanced in terms of operational needs. Its use must be appropriate, lawful, efficient, proper and ethical.

Council recognises that:

- employees are also private citizens with individual personal needs and obligations.
- employees may need to make use of telephones for personal purposes.
- there is a reasonable limit to which Council telephones may be used for personal purposes.
- every employee has a responsibility to be productive in the use of their work time.

Personal use:





- (i) should be infrequent and brief.
- (ii) should not involve activities that might be questionable, controversial or offensive, including gambling.
- (iii) must not disrupt Council communication systems.
- (iv) should not interfere with the employee's job responsibilities or detrimentally affect the job responsibilities of other employees.
- (iv) personal use of Council telephones are NOT to be considered private, staff using such devices do not have the same personal privacy rights as they would have when using private/public telephones.
- (v) employees reasonably suspected of abusing personal use requirements will be asked to explain such use.

### Use of telephones during work time and/or in work areas:

Staff should be aware of the following when using telephones in the workplace (Council or private phones):

- loud/inappropriate ring tones which may cause offence or disruption to work colleagues.
- volume in which you speak whilst on the phone.
- language used whilst on the phone.
- nature of the information being discussed i.e. is it confidential or offensive.
- your ability to fulfil your job requirements. The use of phones (personal or Council owned) should not be excessive or infringe upon your ability to complete work tasks or the work tasks of your colleagues.
- consider those staff working in close proximity to your telephone i.e. noise, sensitive information, distraction to their work.
- frequency in which you make/receive telephone calls that are private or personal in nature.

### Revision Table

Minute /Date	Amendment Summary (Reason of Reference)
0654 / 15.04.2014	Adoption
1056/20.08.2019	Reviewed and amended – modify name, update legislation, include lost, stolen or damaged and return of mobile devices, update associated documents.

### Associated Documents

- Local Government (State) Award
- Division of Local Government Circular 8/24 – Misuse of Council Resources
- Carrathool Shire Council Code of Conduct
- Payment of expenses and the provision of facilities for Mayors and Councillors
- Public Information Policy
- Equal Employment Opportunity Management Plan
- Workplace Bullying and Harassment Policy

### Review

This policy may be amended from time to time and will be reviewed within four years of its adoption (or latest amendment) with reference to any relevant legislation, best practice guides, or other factor.