

# Grobby Community College

*Achieving Excellence Together*



## Email Acceptable Use Policy 2014-2015

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Signed:..... Chair of Finance & Premises Committee

Date: .....

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## **1. Introduction**

Email is a communication tool and all users must use email in a responsible, effective and lawful manner. Email is provided as part of Groby Community College's overall provision of ICT facilities for the purpose of teaching, learning, and administration activities. Email use is subject to relevant legislation, this policy should be read in conjunction with the following related documents:

- Acceptable Use of ICT Facilities Policy
- Internet / Web Acceptable Use Policy

This policy has been written to detail the acceptable use of the Groby Community College email system and will be distributed and made available to all users on Groby Community College Web site.

## **2. Purpose**

The purpose of this policy is to provide information about Groby Community College email services and to provide guidelines for users on the secure, effective and acceptable use of email. This policy also describes the standards that users are to comply with when using these facilities for email, and to ensure that users are aware of the legal consequences attached to the inappropriate use of the facilities.

## **3. Scope**

This policy applies to the use of email for the purpose of sending or receiving email messages and attachments.

This policy is in place to prevent abuse of Groby Community College email system and to protect the college from any compromise of confidential information or potential legal liability. It applies to all Groby Community College staff, students and any other authorised user.

It is the responsibility of all staff and students to comply with this policy. Groby Community College has the right to intercept access or review the contents of any email; electronic communication or files created and monitor usage on a random basis. This will be for the purposes of preventing, detecting or investigating crime or misuse, ascertaining compliance with regulatory standards and Groby Community College policies, or to secure effective system operation.

Groby Community College reserves the right to disclose the contents of any email or other electronic communications to comply with or assist law enforcement officials or legal authorities.

## **4. Responsibility**

This policy is issued under the authority of the Principal who as an employee of Groby Community College is responsible for enforcing sanctions where necessary to safeguard the college and its members.

The IT Infrastructure is managed by the ICT Manager who is responsible for the prevention and detection of ICT misuse.

This policy is managed by the ICT manager who is responsible for investigating incidents of ICT misuse.

## **5. Policy Statements**

### **5.1 Access**

#### **5.1.1 Email Account Access**

Authorised users are issued with an email account by GROBY COMMUNITY COLLEGE. This account should be secured by the user with a personal password.

An e-mail account may only be used by the person to whom it is assigned and is not to be shared with anyone for any reason (Other than the reason described below). Your account and password should be protected accordingly to prevent abuse. You will be held responsible for any illegal activity that occurs from the use of your account.

In some circumstances legitimate access may be allowed to another person's email accounts e.g. Secretary, Line Manager and this will be in the event of long term absence due to serious illness or annual leave. Such

access to a Users account in these instances must be approved by the Principal, Assistant Principal or ICT Manager. Access must not normally be granted in the case of short term absence. Every user is responsible for ensuring that appropriate arrangements are made to cover periods of absence.

**You are permitted to reveal your IT passwords to the ICT Manager and/or authorised IT Technicians where required for problem resolution or administration purposes.**

The Technician is accountable for ensuring this information is used responsibly and as it was intended to be used. Any misuse will be an offence under the Computer Misuse Act and liable to prosecution. **Following completion of such work by the ICT Manager and/or Technician you must immediately change your passwords.**

### **5.1.2 Email Account Closure**

When a member of staff leaves the employment of Groby Community College, their email account is cancelled as part of the termination action carried out by the ICT Manager. Likewise, student email accounts are closed after the cessation of their studies at Groby Community College. Details of students and staff who are leaving must be advised to the ICT Manager and his team.

User Accounts to be closed are subject to the following conditions:

- Staff email accounts remain open for a discretionary period, usually one calendar month after a staff member has left.
- Staff should ensure that they unsubscribe from any email lists that they have subscribed to and delete any personal emails in their account. If there are any work related emails that need transferring to another user, then these emails should be forwarded on as appropriate.
- Student email accounts are closed after the cessation of studies with a grace period of one calendar month from the last day of the final term of study.
- In case of members of Groby Community College, who fall into neither the staff nor student category e.g. Chair of Governors who have access to a college email address, the email account will be cancelled as part of the termination process of their association with the college.
- Where leavers have a need to retain links with Groby Community College, email accounts can be kept open beyond the one calendar month up to a maximum period of three calendar months if required. The decision to extend the discretionary period must be authorized by the relevant senior member of staff and advised to the ICT Manager.
- If a member of staff is dismissed from employment due to misconduct or dies whilst in employment – the account is immediately closed. Any data stored under their account can be released upon appropriate liaison between Groby Community College and the relevant Line Manager / ICT Manager to other individuals under normal legal safeguards as required.
- Groby Community College reserves the right to redirect / allow access to the email accounts for legitimate purposes of those staff that have left during the one month calendar period.

### **5.2 Acceptable Use – Compliance with Legislation**

With email as with all other uses of Groby Community College ICT facilities, it is the user's responsibility to make themselves aware of the laws that apply to such use. It should be noted that email messages (deleted or otherwise) may be treated as written evidence in law.

The following are some of the areas of law which apply to the use of email and which could involve liability of users or Groby Community College.

### **Intellectual Property**

Anyone who uses email to send or retrieve any materials that infringe the intellectual property rights of a third party may be liable to that third party if such use is not authorised by them

### **Obscenity**

A criminal offence is committed if a person publishes any material which is pornographic, excessively violent or which comes under the provisions of the Obscene Publications Act 1959. Similarly the Protection of Children Act 1978 makes it an offence to publish or distribute obscene material of a child.

### **Defamation**

As a form of publication, the Internet is within the scope of legislation relating to libel where a statement or opinion is published which adversely affects the reputation of a person, group of people or an organisation. Legal responsibility for the transmission of any defamatory, obscene or rude remarks which discredit an identifiable individual or organisation will rest mainly with the sender of the email and may lead to substantial financial penalties being imposed.

### **Data Protection**

Processing information including photographs which contains personal data about individuals requires the express written consent of those individuals. Any use of personal data beyond that registered with the Information Commissioner will be considered illegal.

### **Copyright**

The Copyright, Design and Patents Act 1988 are applicable to all types of creations, including text, graphics and sounds by an author or an artist. This will include any which are accessible through Groby Community College ICT facilities.

Any uploading or downloading of information through on-line technologies which is not authorised by the copyright owner will be deemed to be an infringement of their rights.

### **Discrimination**

Any material disseminated which is discriminatory or encourages discrimination may be unlawful under the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 1995, the Human Rights Act 1998 or Employment Equality (Religion or Belief / Sexual Orientation) Regulations 2003 where it involves discrimination on the grounds of sex, sexual orientation, religion, race or disability;

## **5.3 Acceptable Use – Compliance with Groby Community College Regulations**

Email should be carefully constructed as per other types of correspondence. They should reflect the professional status of all staff at Groby Community College and be mindful that all correspondence reflects the public image of the college.

Staff should evaluate the appropriateness of email as the chosen means of communication before making contact with either internal and/or external stakeholders. Another form of communication such as by telephone, face to face or formal letter may produce better results. The choice of whether to use email as the means of communication should be considered on a case by case basis.

Groby Community College ICT facilities are supplied for teaching, learning and administrative purposes. The users of the email system are responsible for ensuring that they are acting in compliance with legal and acceptable use conditions.

All emails between staff and students, staff and parents/carers or other college stakeholders must come from an authorised email account. This regulation is for the protection of all stakeholders enabling the tracing of all email exchanges. The use of an email client is permitted but all college related matters must be directed through the college network.

External stakeholders will be able to contact individual staff members via the staff list displayed on the website. Individual email addresses will not be displayed directly and all messages will be delivered via the in-built post master system through the website.

It is the responsibility of the individual staff member to respond to all email communication within 7 working days. Responses may be in the form of email thus supplying the external contact with the individuals email address although alternative responses are permitted such as by phone or by letter. If a member of staff is concerned about an external stakeholder having their Groby email address then they should seek advice on responding using the central email address.

All email responses should be sent within reasonable working hours although it is recognised that this may be at the end of the normal working day. Staff are not obliged to respond to emails outside of working hours.

All Teaching and relevant Support staff should check their email account at least once per working day to ensure that urgent emails have been collected.

All emails sent during holidays or when the member of staff is away due to external training or illness do not need to be responded to, until the member of staff returns to work. If the absence is planned, then the member of staff should use the 'out of office' facility to alert all senders that the replies may be delayed. It will be displayed on the website that holidays will cause a delay in responses to emails in line with the dates that the college is closed.

Staff are required to seek advice and support from senior colleagues should the matter be beyond their knowledge base. Equally matters which the member of staff deems to be serious should be passed immediately to their Line Manager or to a senior colleague.

Staff are not expected to store all emails with external stakeholders. Our system will enable detailed traces of all contact to take place should it be required.

If a member of staff deems the number of emails sent by one individual to be unreasonable then they should refer the matter to their Line Manager.

Important emails regarding the welfare and progress of a student (once appropriate action has been taken) should be forwarded to the House Team and/or Admin Office for placing on the student's file.

Any issues of Child Protection (during term time) should be relayed to the immediately to the designated teacher (Viv Evans)

Personal use is accepted as specified in paragraph 5.3.1 below and users should ensure that email messages:

- Are courteous and polite
- Protect others' right to privacy and confidentiality

Groby Community College Management will exercise its discretion in judging reasonable bounds within the above standards for acceptability of material transmitted by email.

Groby Community College regards the declaration of standards, as described above, to be particularly important. They reflect the values and beliefs of the college.

### **Preventing the Spread of Malicious Software (Viruses)**

Users of Groby Community College ICT facilities must take all reasonable steps to prevent the receipt and transmission by email of malicious software e.g. computer viruses.

In particular, users

- must not transmit by email any file attachments which they know to be infected with a virus
- must ensure that an effective anti-virus system is operating on any computer which they use to access Groby Community College IT facilities
- must not open email file attachments received from unknown, unsolicited or un-trusted sources

### 5.3.1 Personal Use

The main purpose for the provision by Groby Community College of ICT facilities for email is for use in connection with teaching, learning, research, and approved business activities of the college.

Groby Community College permits the use of its ICT facilities for email by students, staff and other authorised users for personal use, subject to the following limitations:

- a level of use that is reasonable and not detrimental to the main purpose for which the facilities are provided
- priority must be given to use of resources for the main purpose for which they are provided
- personal use must not be of a commercial or profit-making nature, or for any other form of personal financial gain
- personal use must not be connected with any use or application that conflicts with an employee's obligations to Groby Community College as their employer
- personal use must not be connected to any purpose or application that conflicts with Groby Community College's rules, regulations, policies and procedures
- personal use must comply with Groby Community College's policies and regulations

In relation to the personal use of Groby Community College ICT facilities for email, if users are in any doubt about what constitutes acceptable and appropriate use, they should seek the advice and guidance, in the case of members of staff, of their Line or ICT Manager, and in the case of students, of their Group Tutor.

### 5.4 Unacceptable Use

The main purpose for the provision by Groby Community College of ICT facilities for email is for use in connection with the teaching, learning, and administrative activities of Groby Community College.

ICT facilities provided by Groby Community College for email should not be used:

- i) for personal use, other than as specified in paragraph 5.3.1 above
- ii) for the creation or transmission (other than for properly supervised and lawful information research purposes) of any offensive, obscene or indecent images, data, or other material, or any data capable of being resolved into obscene or indecent images or material
- iii) for the creation or transmission of material which is designed or likely to cause annoyance, inconvenience or needless anxiety
- iv) for the creation or transmission of material that is abusive or threatening to others, or serves to harass or bully others
- v) for the creation or transmission of material that either discriminates or encourages discrimination on racial or ethnic grounds, or on grounds of gender, sexual orientation, marital status, disability, political or religious beliefs. Groby Community College is committed to fostering a learning and working environment free of discrimination where everyone is treated with dignity and respect
- vi) for the creation or transmission of defamatory material
- vii) for the creation or transmission of material that includes false claims of a deceptive nature
- viii) for so-called 'flaming' i.e. the use of impolite terms or language, including offensive or condescending terms
- ix) for activities that violate the privacy of other users
- x) for criticising individuals, including copy distribution to other individuals
- xi) for publishing to others the text of messages written on a one-to-one basis, without the prior express consent of the author
- xii) for the creation or transmission of anonymous messages, i.e. without clear identification of the sender
- xiii) for the creation or transmission of material which brings Groby Community College into disrepute
- xiv) for the transmission of unsolicited commercial or advertising material, chain letters, press releases, or other junk mail of any kind, to other users, user organisations, or organisations connected to other networks, other than where that material is embedded within, or is otherwise part of, a service to which the member of the user organisation has chosen to subscribe

- xv) for the unauthorised transmission to a third party of confidential material concerning the activities of Groby Community College
- xvi) for the transmission of material such that this infringes the copyright of another person, including intellectual property rights
- xvii) for the unauthorised provision of access to Groby Community College services and facilities by third parties
- xviii) for activities that unreasonably waste staff effort or networked resources, or activities that unreasonably serve to deny service to other users
- xix) for activities that corrupt or destroy other users' data
- xx) for activities that disrupt the work of other users

## 5.5 Monitoring

Monitoring may take place periodically within the guidelines set down by the Regulation of Investigatory Powers Act (RIPA) 2000.

Groby Community College retains the right under the RIPA Act to access all information held on its information and communications facilities to monitor or intercept any system logs, web pages, E-mail messages, network account or any other data on any computers system owned by the college.

This will be for the purposes of preventing, detecting or investigating crime or misuse, ascertaining compliance with regulatory standards and Groby Community College policies, or to secure effective system operation.

## 5.6 Disclaimer

Groby Community College will arrange for an appropriate disclaimer to be appended to email messages, in order to provide necessary legal protection. The following disclaimer will be added to all external email messages which are sent from Groby Community College:

### Email Disclaimer

This message is for the named person's use only. It may contain confidential, proprietary or legally privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this message in error, please immediately delete it and all copies of it from your system, destroy any hard copies of it and notify the sender. You must not, directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient. Groby Community College and any of its subsidiaries each reserve the right to monitor all e-mail communications through its networks.

Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity.

It is important that all staff use the Groby Community College approved email disclaimer shown above to help protect the college from litigation.

This disclaimer is not normally required for the majority of internal emails, however occasionally it may be necessary to use the disclaimer in an internal email, and the decision to use it will be based on the email's content and its recipient.

The disclaimer will be added to all outgoing external emails by Groby Community Colleges email system

## 5.7 Data Protection and Email

As a member of Groby Community College you have certain responsibilities under the Data Protection Act (1998). This prescribes a number of further rights and responsibilities in using e-mail as follows:

- Personal data is subject to the Act. Under its terms, personal data includes any information about a living identifiable individual, including his/her name, address, phone number, and email address. If you include such information in an e-mail or an attachment to an e-mail, you are deemed to be "processing" personal data and must abide by the Act. Personal information includes any expression of opinion.
- You should be cautious about putting personal information in an e-mail. In particular, you should not collect such information without the individual knowing you propose to do this;



- You may not disclose or amend such information except in accordance with the purpose for which the information was collected; and you should ensure the information is accurate and up to date.
- You should not use e-mails for any purpose that is not permitted by Groby Community College's notification under the Act. Groby Community College is permitted to process data for the following purposes: staff, agent and contractor administration; advertising, marketing, public relations; accounts and records; education; research; staff and student support services; other commercial services; Groby Community College magazine and journal publication; crime prevention and prosecution of offenders.
- You must not leave a PC logically (e.g. still 'logged-on') or physically insecure (e.g. in an unlocked room) or in such a state that a third party could inspect e-mail or data and gain access to personal information.

Groby Community College has by law to provide any personal information held about any data subject who requests it under the Act.

This includes information on individual PCs in departments and you have a responsibility to comply with any instruction to release such data made by Groby Community College.

E-mails which contain personal information and are held in live, archive or back-up systems or have been "deleted" from the live systems, but are still capable of recovery, may be deemed accessible by data subjects.

- The law also imposes rules on you in retaining personal data. Such data must be kept only for as long as it is needed and for the purpose for which it was collected. Information Services retain deleted e-mails for three months to allow for accidental loss or any other later requirement by the user for it to be retrieved.
- You should take care when sending e-mails containing personal information to countries outside the European Economic Area, especially if those countries do not have equivalent levels of protection for personal data.

## 6. Legislation

Groby Community College must ensure that their information systems and where applicable the supporting infrastructure complies with the relevant legislation and contractual requirements, including:

- The Data Protection Act 1998
- The Human Rights Act 1998
- The Computer Misuse Act 1990
- The Copyright, Designs and Patents Act 1988
- The Freedom of Information Act 2000
- The Regulation of Investigatory Powers Act 2000

The ICT Manager is responsible for ensuring that use of generic access services (e.g. Portal and Internet) within Groby Community College complies with the agreed standards and relevant legislation and contractual requirements.

## 7. Sanctions

You should note that the use of Groby Community College IT facilities for email in an unacceptable and inappropriate manner and breach of this Policy may be treated as a disciplinary offence.

In circumstances where there is assessed to be a breach of the standards of acceptable use, as described in section 5 of this Policy,

Groby Community College will, as a first action, act promptly to prevent continuance or repetition of the breach, for example to withdraw any unacceptable materials.

This action will be taken in accordance with the normal managerial arrangements, and will typically involve liaison between the appropriate member(s) of Groby Community College staff.

Subsequent action will be as described below.

Indications of non-compliance with the provisions of the Email Acceptable Use Policy will be investigated, as appropriate, in accordance with the provisions of Groby Community College Disciplinary Procedures, as applicable to staff and students.

Subject to the findings of any such investigation, non-compliance with the provisions of the Email Acceptable Use Policy will lead to appropriate disciplinary action, which could include dismissal on the grounds of gross misconduct. Furthermore, publication of some materials may not only amount to a disciplinary offence, but also a criminal offence, in which case the issue will be reported to the police for them to take appropriate action.

Groby Community College will investigate complaints received from both internal and external sources, about any unacceptable use of email that involves Groby Community College ICT facilities.

The investigation of facts of a technical nature, e.g. to determine the source of an offending email message, will be undertaken by the ICT Manager on behalf of Groby Community College.

Where there is evidence of a criminal offence, the issue will be reported to the police for them to take appropriate action. Groby Community College will co-operate with the police and other appropriate external agencies in the investigation of alleged offences.