

# Email, Internet and Intranet

## COUNCIL POLICY NO. 083

### 1. INTRODUCTION

Email, internet and intranet services form part of the official business communication of Gannawarra Shire Council and as such email, internet and intranet services are governed by the same legislative requirements as all records.

Email messages, internet and intranet postings contain information about business activities and therefore can function as evidence of business transactions in a court of law. The records may also be required by Royal Commissions, auditors and other people/bodies to whom they may be subject and/or who request documents under Freedom of Information legislation.

Electronic communication systems cannot be isolated from Council's records management system.

### 2. POLICY STATEMENT

Email, internet and intranet services are the property of Gannawarra Shire Council and are provided to employees to be used primarily for legitimate business purposes.

Staff members with email access are responsible for archiving to records all relevant emails, sent or received.

All email, internet and intranet services including the data and messages contained within or transmitted via them are the property of Council and are primarily intended for business use only. Employees are advised that they do not have any personal or proprietary rights over such email, internet and intranet services. Council cannot guarantee the privacy or confidentiality of any email messages sent internally or via the Internet.

Council reserves the right, at any time and without the consent of the user, to inspect, monitor, examine, copy, store, forward, delete, filter and disclose the contents of email messages, internet and intranet history, especially in relation to subpoenas and legal disclosures.

Only the Chief Executive Officer or Director Corporate Services may instruct Information Technology staff to provide access to staff email messages, internet or intranet history.

### 3. POLICY PURPOSE

The purpose of this policy is to ensure the proper use of Gannawarra Shire Council's email, internet and intranet systems.

This policy applies to all Council employees, councillors, contractors, consultants, temporary and casual staff, and other authorised personnel of Gannawarra Shire Council.

Council makes email, internet and intranet services available to its staff so that they may efficiently share and exchange information in the pursuit of Council's goals and objectives.

Council is a diversified organisation where staff work varying hours and days. Email, internet and intranet services allow Council staff to overcome the barriers of time and space in communication.

## 4. POLICY

### 4.1 Email as Official Records

Email messages are official records of Council's business; legislation requires Council to be accountable for that business.

Transactions that provide evidence of business activities and are required for ongoing business should be documented in Council's records management system to provide an official record of:

- What happened
- What was decided
- What advice was given
- Who was involved
- When it happened
- Order of events and decisions

### 4.2 Internet and Intranet

Approved and current official Council public documents are posted on the Internet (website) and are readily available for members of the community and staff alike.

Approved and current official Council internal documents are posted on the Intranet and should in all circumstances be the first port of call for employee related policies and procedures.

### 4.3 Information Privacy

Sensitive or personal information transmitted by email, internet and intranet services cannot be guaranteed to be completely private as there is always potential for it to be read by or redirected to unauthorised persons.

Email, internet and intranet systems should not be assumed to be secure. When storing and communicating sensitive information or data, consideration must be given to how best to protect it.

Council information and information belonging to others, such as Council customers and suppliers must be protected from unauthorised or accidental disclosure, modification, damage or destruction, consistent with Council policy and the Privacy and Data Protection Act 2014.

The most effective method of protecting stored information is within Council's records management system.

### 4.4 Management of Email

Email messages like other business records have different values, some are needed for ongoing business and others have only short-term value.

The value of an email message is determined by whether it relates to a business transaction/activity or contains information only or is a private message.

An electronic document becomes an electronic record when it takes part in a business transaction; records that document business activity are vital for supporting informed decision making and ensuring accountability.

Business transactions should be documented in Council's records management system. Email messages must be retained in accordance with approved retention periods as listed in the Local Government and General Administration Records Retention and Disposal Authorities.

The recipient of an email message must determine if the message is considered to be a business transaction that should be captured as an official record.

### 4.5 Management of Internet and Intranet Content

Following appropriate training, staff in positions required to manage website content may post updates, however all new content must be approved by a member of Council's communications team as website user manager, via the inbuilt workflows.

All staff may, and in fact are encouraged to, post content to the Intranet. Valid content includes internal-only documents and policies, links to professional and government bodies, official, social and charity events, and general information of an official or social nature. Department managers are responsible for ensuring information on the

Intranet pertaining to their respective department functions is current, accurate and appropriate.

The Intranet Message Board may be used for both professional and social purposes providing all postings remain appropriate (see 4.8. Inappropriate Use of Email, Internet and Intranet).

#### **4.6 General Use of Email, Internet and Intranet**

Reasonable personal use of Council's email, internet and intranet services is expected. Personal use is a privilege, which must be balanced in terms of operational needs; its use must be appropriate, lawful, efficient and ethical.

Any opinions expressed in email messages or internet and intranet postings, where they are not business related, should be specifically noted as personal opinions and not those of Council.

Email messages, together with internet and intranet postings must be treated in the same way as written correspondence on Council letterhead; only employees with specific delegated authority may commit the Council to any action or expenditure.

#### **4.7 Defamation Law**

Forwarding a defamatory email makes the forwarder liable as a joint publisher of the original material. Council may be exposed to liability in relation to defamatory emails sent by users of its computers.

Under no circumstances should email messages with defamatory content be forwarded. If in doubt, speak with your manager.

#### **4.8 Inappropriate Use of Email, Internet and Intranet**

- Using email, internet and intranet services for excessive non-business purposes.
- Sending 'chain' letters, 'hoax' mail or other mischievous use.
- Using email, internet and intranet services to solicit outside business ventures or actions.
- Using email, internet and intranet services to distribute software which is inconsistent with any vendor's licence agreement.
- Using email, internet and intranet services to request, access, transmit or convey fraudulent, illegal, offensive, sexually explicit, threatening, abusive or harassing materials.
- Using email, internet and intranet services to defame individuals, groups or organisations.
- Using email, internet and intranet services to harass, abuse, intimidate or interfere with the ability of others to conduct Council business.
- Accessing data without authorisation or attempt to breach any security measures within a system, attempting to intercept data transmissions without authorisation.
- Sending email messages or posting internet and/or intranet content of a defamatory nature.
- Use of email, internet and intranet services to disclose or transmit any classified, staff in confidence, commercial in confidence, restricted or sensitive material.

## **5. VIOLATIONS AND AUDITING OF THIS POLICY**

Council employees who violate this policy will be subject to disciplinary action.

Violating this policy may also contravene the law and subject the employee or Council to criminal or civil actions..

## **6. POLICY REVIEW**

Council will review this policy as required but always within two years after a general election of the Council.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*

## 7. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at [www.gannawarra.vic.gov.au](http://www.gannawarra.vic.gov.au).

Any enquiries in relation to this policy should be directed to the Director Corporate Services on (03) 5450 9333

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