



Clerk: Mr S R Baxter | Email: clerk@norththoresby.com | Tel: 0781 444 3058
Address: North Thoresby Village Hall, The Square, North Thoresby, DN36 5QL

For the community...by the community...

EMAIL MANAGEMENT POLICY

October
2023

For all references to 'Council' please note this is referencing to North Thoresby, Grainsby and Waithe Parish Council.

1. BACKGROUND

- 1.1. 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.
- 1.2. 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 unless there is **EXCEPTIONAL** circumstances that has been agreed by the Proper Officer or Chair of the Council

2. STATUTORY REQUIREMENTS AND OBLIGATION OF ALL EMAIL USERS

- 2.1 This 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 suggest by adopting a unified email address system.
- 2.2 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.
- 2.3 Each user of a council email account acknowledges the statutory as detailed in (2.1) and (2.2) and as part of the use of the email account formally agrees abide by the stipulations as detailed and any statutory amendments as detailed by the Government and all conditions of this policy.

3. USE OF EMAIL BY THE COUNCIL AND APPLICABLE NECESSARY USERS

- 3.1 The council believes this is the most efficient and effective way of working together and keeping in touch with the community but deem that specific conditions must be met.
- 3.2 All Councillors, staff and Council volunteers will be issued with the following email address format:

Proper Officer: clerk@norththoresby.com

Councillors: Cllr.[surname].norththoresby@gmail.com or
Cllr.[firstnamesurname].norththoresby@gmail.com

Staff: [firstname].[surname].norththoresby@gmail.com or
[title].[title].norththoresby@gmail.com

- 3.3. All users must note that first, and most important that formal decisions 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. Emails must not be used to make final or formal decisions, or influence any decision to an unsatisfactory level.
- 3.4 The law does not allow councillors to act independently and users should make sure that they do not imply that the content of their email represents the opinion or policy of the council as a whole.
- 3.5 Any emails sent by members of the Council must not state that it represents the position of the Council. No individual Councillor has the authority to represent the Council.
- 3.6 All users must note that Council emails are not confidential; every email must be available to the public through a freedom of information request. Although the emails will be cleared of any personal data before they are released, avoid disclosing anything personal or confidential in the first place; email is not a secure medium.
- 3.7 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.
- 3.8 The only person who can author an official email is the Proper Officer who writes on Council's views. If there is any doubt about a Councillor's authority to write or send such an email, please check with the Proper Officer first.

4. COUNCIL EMAIL ADMINISTRATION (including setting up and closing an email account)

- 4.1 The Proper Officer will be the person designated to manage the setting up and closing of Council email accounts. Another designated person will be appointed to act in place of the Proper Officer if the Council deem it appropriate.
- 4.2 The Proper Officer will endeavour to set up new email accounts within 2-3 working days and will ensure the user is made aware of this policy and their obligations.
- 4.3 Any email accounts that are set up by the Council for the individual user, the user will agree to the following set up conditions of the email account:
 - (i) Any temporary passwords given to the user by the Proper Officer (or authorised persons) must be changed at their first opportunity (*unless this is deemed not appropriate as per point (9.9)* when the Council may determine that the Proper Officer should retain knowledge of the password to the email account.

- (ii) Any recovery email address or telephone number that is attached to the account **MUST REMAIN** and must not be changed by the email account user **UNLESS** the Proper Officer (with consultation with the Chair of the Vice Chair) or the Full Council deems it appropriate - this will be considered rare.
 - (iii) Any passwords to the email account (*unless this is deemed not appropriate as per point 9.9*) must not be disclosed by the email account user to anyone. If the email account user feels that the password has become known by a third party (*unless this is deemed not appropriate as per point 9.9*) they must change the password immediately and also let the Proper Officer aware as to ensure that the validity of their emails remains as needed.
- 4.4 Should any user of a Council email account breach points (4.3) (i), (ii) and (iii) the email account may be suspended and declared **NOT SAFE** as detailed in section 9.6
- 4.4 When councillors, employees, volunteers and any other person who is directly connected with the council ceases to be part of the Council, their email account will be suspended and then closed down (if deemed necessary) and all emails (sent or received) will be archived in accordance with the law

5. COUNCIL'S DETERMINATION OF USE OF COUNCIL EMAIL ACCOUNT

- 5.1 All users of a Council's email account accepts that the Council is a legal entity in its own right and separate from any of its members or staff
- 5.2 All members of the Council consent to receive Summons and Notices of Meetings by electronic means if previously agreed with the Proper Officer. The Proper Officer may still decide to use a hard copy paper format for any documents that need to be sent to the individual member if they deem it appropriate.
- 5.3 It will be for the Proper Officer or the Chair to determine the amount of email accounts needed for the operation of the Council. The number of email accounts may be amended from time to time as the Council sees fit.
- 5.4 The council shall be held harmless from any claims made or views expressed or any other content within an email distributed from the Council email account by its members or staff through the inclusion of a footnote Disclaimer, the wording of which shall be determined by the Proper Officer. The '*Disclaimer*' should be appended to all outgoing emails.
- 5.5 Any email may be signed by the Proper Officer by using their name, title and the words "North Thoresby, Grainsby and Waithe Parish Council". An email authored by the Proper Officer shall be the same as if it had been authored by the Council itself.

- 5.6 All emails sent by Councillors, staff and volunteers using Council email accounts shall observe relevant data protection legislation and be aware that these emails are covered by the Freedom of Information Act 1998.
- 5.7 All Council email account users should be used for Council business only but the Council will appreciate that the interpretation of '*council business*' is for each user to determine but they will be held legally accountable for these decisions on these emails.
- 5.8 All Council email account users 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. If any emails are deliberately deleted and are not emails that would be considered SPAM or marketing emails, this may be considered a disciplinary offence (for staff) or for referral to the Monitoring Officer for code of conduct violations (for Councillors).

6. DISCLAIMER WORDING REQUIRED FOR ALL EMAIL ACCOUNTS

- 6.1 It is the condition of the use of the Council email account that they have the following disclaimer added to all emails sent. This is to ensure that the Council are not held responsible for any content the email.
- 6.2 This disclaimer will state as follows:

The content of this email is confidential and intended for the recipient(s) specified in message only. It is strictly forbidden to share any part of this message with any third party, without the written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.
- 6.3 The disclaimer may be amended by the Proper Officer to reflect the current consideration of local authority operations as determined by NALC or by any statutory changes. Each user will have 48 hours to amend the disclaimer from when the Proper Officer requires as such.
- 6.4 Should any user fail to follow the required disclaimer and the timeframe, as detailed (7.2) (xi) of this policy, the email account may be suspended.

7. CONSIDERATION OF USER FOR SENDING EMAILS

- 7.1 Before sending an email message, users must consider if it may be more effective to communicate face to face or by telephone. It is easy to misconstrue the contents of an email which can lead to confusion and poor communication, a telephone conversation can prevent extensive email "ping-pong" conversations clarifying an email's meaning.

- 7.2 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 actually hoaxes designed to clog up email systems by scaring people into forwarding them across the internet.
- 7.3 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. **Any doubt - don’t open and report to the Proper Officer.**
- 7.4 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.
- 7.5 Email etiquette construes capitalisation as SHOUTING, so it’s best to avoid inappropriate use of upper case in messages.

8. RESTRICTION OF EMAIL ACCOUNT ACCESS

- 8.1 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 Proper Officer (after consultation with the Chair of the Council or in their absence the Vice-Chair) may restrict or suspend the account temporarily (for a maximum of 30 days) before the decision is put before the Full Council for ratification.
- 8.2 The initial temporary suspension of the email account will only normally occur if the email account user:
- (i) Sends inappropriate emails.
 - (ii) Sends emails that are deemed to be harassing.
 - (iii) Sends emails that are in breach of equality law
 - (iv) Sends political emails.
 - (v) Sends deliberately damaging emails.
 - (vi) Sends emails that do not represent Council doctrine.
 - (vii) Sends emails containing confidential information to third parties, without express permission.
 - (viii) Sends emails that deliberately breach of Data Protection Laws or General Data Protect Regulations.

- (ix) Is found to be forwarding council business via personal emails that are inappropriate that have been sent to them via the council email system
- (x) Sends any email that would seriously harm the reputation of the Council
- (xi) Fails to follow any direction on Council operation if deemed as meeting any Council policy
- (xii) Sending any emails to third parties where the Council determine that it was to harm or cause harassment of any Councillor, staff or a third party (deliberate or otherwise).
- (xiii) Does not follow the specific email account and management conditions as detailed in section 4.3

8.3 If a decision to ratify the suspension decision is agreed by the Full Council, then the email account will remain suspended indefinitely (or until the email account user meets the criteria of this policy).

8.4 If the ratification is not agreed the Full Council, then the access to the email account and the operational interaction with the remaining users will be restored by the Proper Officer as soon as they are able (but not later than three working days).

9. PARISH COUNCIL MANAGEMENT OF USER EMAIL ACCOUNTS AND COUNCIL ACCESS

9.1 The Council acknowledges that each user of a Council email account has the *expectation of privacy* but that they have *no right to privacy* as the email account is a Council operated email account. This means that if the Council formally decide, each users Council email account must be able to be reviewed by the Proper Officer, or if they are not available the Chair of the Council.

9.2. The Proper Officer must ensure that only motions to consider access to any users' accounts meet at least one of the following criteria:

- i) The request for the motion is from a statutory agency and is part of a criminal or civil investigation
- ii) The request is legitimate from an internal Council investigation into alleged breaches of confidentiality or any harassing of staff or Councillors
- iii) The request is from the Monitoring Officer as part of any investigation into any breaches of code of conduct by a Councillor
- iv) The request is made by the Full Council (or the delegated Committee) into any investigations into any staff of the Council

- 9.3 The Council agree that the Proper Officer is the sole arbiter if the motion fulfils the above criteria. The only exception is if the Proper Officer is not available and at that point, both the Chair and Vice Chair must agree - if they do not, the motion will not be considered proper.
- 9.4 No Council email accounts should be beyond the review of the Proper Officer (or the Chair of the Council in their absence) under **ANY** circumstances.
- 9.5 Access to any users' email account by the Proper Officer (or the Chair of the Council in their absence) must only be undertaken by formal decision of a Full Council meeting (or an Extraordinary Council Meeting). If that decision is made, the email account must be made available immediately to the Proper Officer.
- 9.6 If any user of a Council email account refuses to allow access (as immediate as the Proper Officer deems necessary) then the Proper Officer must declare to the Councillors and all users of Council email accounts, that the email address of the user is **NOT SAFE** and **must not be contacted under any circumstances.**
- 9.7 All communication by the Proper Officer with the user (as defined in point 3.6) will be by other methods including hard letter, text message or by telephone. All communication must be noted with the time, date and conversation details.
- 9.8 It is expected that if the email account is deemed **UNSAFE**, then no Councillor, staff member or volunteer will communicate with the user of the email account by email. Other communication forms are accepted as permissible.
- 9.9 Only if the user allows access to the email account by the Proper Officer (or Chair of the Council in their absence), should communication to them via this email account be resumed. Any decision to resume communication to the email account they have been using, will be taken by the Full Parish Council who may decide on further restrictions on email account usage such as closely monitoring of emails by the Proper Officer.

10. REVIEW OF THE POLICY

- 10.1 The Proper Officer will advise the Council if any recommendations by NALC or any other statutory organisation on the use of email or any changes to Council policy are required.
- 10.2 The Council will ensure that this Policy is reviewed at least on an annual basis or when the Council deem it necessary.