



New College Durham

Policy on

Management and Monitoring of Electronic Communications, Internet and Telephones

New College Durham is committed to safeguarding & promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

New College Durham

**Management and Monitoring of Electronic Communications,
Internet and Telephones**

Policy

(Equality and Diversity Assessment)

We will consider any request for this procedure to be made available in an alternative format.

We review our policies and procedures regularly to update them and to ensure that they are accessible and fair to all. All policies and procedures are subject to equality impact assessments. Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a different impact on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or human rights.

We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility or fairness of the policy.

To make suggestions or to seek further information please contact:

ICT Department
records@newdur.ac.uk

If any employee has difficulty understanding this policy, please contact the College's ICT Department.

Equality Impact Assessed: August 2016

Procedure Title	Management and Monitoring of Electronic Communications, Internet and Telephones Policy
Document Owner	Head of ICT
Owning Directorate	Corporate Services
Owning Department	ICT

Directorates and Departments affected by this Procedure	All staff and students
Procedure Effective From	August 2016
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Contents		Page
1.	Introduction	4
2.	Scope	4
3.	Responsibilities	4
4.	Relationship with existing policies and legislation	5
5.	Personal use of College facilities	5
6.	The Internet	5
7.	Telephones	6
8.	Electronic Communications	7
9.	Disclaimer	8
10.	Defamation and Reputation	8
11.	Discrimination and harassment	8
12.	Monitoring	9
13.	Reporting misuse	10
14.	Evaluation and review	10

New College Durham

Management and Monitoring of Electronic Communications, Internet and Telephones Policy

1. Introduction

This policy describes the requirements for the management and monitoring of electronic communications, internet and telephone facilities to maintain compliance with legal obligations and other College policies.

This policy also contains some guidance on expected use of these facilities by staff and students as well as information on how the College intends to monitor this use.

2. Scope

This policy applies to all users of telephone¹ and computer² equipment owned by the College or used to access College facilities (specifically electronic communications and internet services). This includes private equipment used offsite to access the College network.

This policy applies to staff and students.

3. Responsibilities

Responsibility for ensuring compliance with this policy lies with the corporation.

The Head of ICT has responsibility for ensuring this policy is in place and is reviewed as necessary. This responsibility includes ensuring guidance is available and promoting compliance with the policy.

All staff are responsible for familiarising themselves with this policy as directed in their contract of employment.

Compliance with this policy is compulsory for all staff and students. Anyone who fails to comply with the policy may be subjected to action under the College's disciplinary policies. It is the responsibility of head of department/schools and their Directors/Vice Principals to ensure that staff and students are aware of the existence and content of the policy.

¹ Includes all mobile phones and desktop phones

² Includes all PCs, Laptops, Zero Clients and Tablets

4. Relationship with existing policies and legislation

This policy has been formulated within the context of the following College policies.

Data Protection Policy
All Safeguarding Policies
PREVENT Duty for Staff Policy and Procedure
Records Management Policy
ICT Acceptable Use Policy
Information Security Policy
Copyright and Intellectual Property Policy

This policy will facilitate compliance with the following legislation:

- Regulation of Investigatory Powers Act 2000
- Malicious Communications Act 1988
- General Data Protection Regulation
- Data Protection Act 2018
- Human Rights Act 1998
- Defamation Act 1996
- Copyright, Designs and Patents Act 1988
- Privacy and Electronic Communications Regulations 2003
- Counter Terrorism and Security Act 2015

5. Personal use of College facilities

The College telephone, electronic communications and Internet systems, and devices supplied to enable their use, are provided for work and study related activities. Personal use is permitted as long as users adhere to the College's **Acceptable Use Policy**. The College reserves the right to monitor telephone, electronic communications, device and Internet usage logs and, in specified circumstances, the content of any communications. Please refer to the section entitled 'Monitoring' for further information.

Any user with a College network account will be held responsible for all activity using the account.

6. The Internet

Use of the College's Internet services is permitted as long as all users adhere to the College's **Acceptable Use Policy**.

Staff must also ensure they adhere to the College's **PREVENT Duty for Staff Policy and Procedure** and should especially try to be vigilant in reporting unauthorised or inappropriate use of the Internet by students, understanding that it is their duty to report incidents or concerns to the appropriate

department. In most cases this would be the Head of ICT, however in relation to concerns about extremism or radicalism these should be reported to the College's PREVENT Co-ordinator.

There are sites to which the College will prohibit access using filtering software. If you consider that a site may be mistakenly blocked or you need to access a blocked site for research purposes or if you want to request that a certain site be prohibited under the College's **Acceptable Use Policy**, you should contact the ICT Helpdesk in the first instance. Determination on whether a requested site will be unblocked will be made by the Head of ICT.

Attempts to access blocked/inappropriate sites may lead to action under College policies mentioned in section 4 above.

Unauthorised use of electronic communications and/or the Internet may expose both you personally and/or the College to Court proceedings attracting both criminal and civil liability. You will be held responsible for any claims brought against the College for any legal action to which the College is, or might be, exposed as a result of your unauthorised use of the Internet.

7. Telephones

The College provides staff with mobile telephones and desk phones as appropriate to enable flexible communication.

The College recognises that staff may occasionally need to make personal telephone calls. This use should be reasonable and the College will monitor overall usage. Staff will be informed if their usage is seen as excessive or inappropriate. Any calls to premium telephone lines or any international personal calls will be chargeable to the member of staff unless cleared in advance by a line manager as necessary for College purposes. Some of these calls are already routinely blocked by the College and the rationale for this is determined by the Senior Postholders and managed by the Head of ICT.

It is not a requirement of the College that staff should have access to their College supplied mobile devices outside their normal working hours. However it is expected that staff provided with mobile devices for business purposes should be easily contactable via these devices during working hours.

Staff must not sync up their own mobile phones or devices with their work emails or calendars. Access to these should be via webmail.

Please note that where a member of staff is outside of the UK on personal travel, the mobile phone should either be left secured in the UK or the data roaming feature should be switched off. Any member of staff wishing to make use of this service should obtain the consent of their line manager prior to travel.

8. Electronic communications³

The College recognises the importance of electronic communications and encourages staff and students to use them in the performance of their duties and to aid their study at the College. In the light of this both staff and students should be aware that all correspondence sent using College facilities and via College systems remains the property of the College and is liable to be disclosed in response to Freedom of Information requests.

Staff should:

- Ensure devices are not left unattended and unlocked as you will be held responsible for all activity using your account.
- Not assume that electronic communication is private; electronic messages can be intercepted or wrongly addressed, and they are easily forwarded to third parties.
- Be vigilant and report inappropriate use of electronic communications to the Head of ICT or the PREVENT Co-ordinator as appropriate.
- Use the mailing lists and address book in Outlook to target your communication to the relevant audience. Don't send 'all staff' messages unless the matter concerned is relevant to all staff.
- Where possible, use the EDRMS (IDOX) or network shared areas to share and store information rather than by sending emails or storing information in folders within Outlook, especially where the information is confidential or may be classified as 'sensitive personal data' under the Data Protection Act.
- Be aware that electronic communications constitute records that are admissible as evidence in a court of law and any commitment on behalf of the College to do or to refrain from doing something may constitute a contract.
- Habitually discard any unsolicited or non work related documents or attachments received by electronic communication.

Inappropriate use of electronic communications by staff may result in action under College formal procedures. If you receive an inappropriate electronic message please report the details to the Head of ICT.

There is a limit placed on the size of attachments that staff can receive and send via e-mail. This limit is the default size of the mailboxes and is determined by the ICT Department. Any request for changes to be made to

³ These may be texts, emails, instant messages or even in some cases messages sent within social networking systems, e.g. Facebook, Twitter.

the size of staff mailboxes must be approved by the relevant member of the Senior Executive Group.

Further information on the use of email by staff can be read in the College's guidance on managing eMail, located on the staff Intranet.

Students should:

- Ensure your use of electronic communications meets the requirements of the College's Acceptable Use Policy.
- Ensure devices are not left unattended and unlocked as you will be held responsible for all activity using your College account.
- Not assume that electronic communication is private; electronic messages can be intercepted or wrongly addressed, and they are easily forwarded to third parties.
- Note that where an email account or storage area has been supplied by the College, the College will be able to access the data held in the manner described and for the purposes outlined in section 12 'Monitoring'.

Inappropriate use of electronic communications by students may result in action under College formal procedures. If you receive an inappropriate electronic message please report the details to the ICT Helpdesk.

Further information on the use of email by students can be read in the College's Guidance for Students on the Acceptable Use of College IT Facilities, located on the student Intranet and published within the student handbook.

9. Disclaimer

A disclaimer is included on all e-mails sent externally by staff. The text of the disclaimer will be subject to change to reflect prevailing circumstances.

10. Defamation and reputation

Electronic communications and the Internet are a form of publication and their wrongful use may constitute a libel contrary to the provisions of the Defamation Act 1996. Staff and students must not put any defamatory statement onto the Internet using their College account or onto any of the College's computer systems.

Staff and students must not send messages or post information on the Internet that could bring the College into disrepute.

11. Discrimination and harassment

The College does not tolerate discrimination or harassment in any form. This principle extends to any information distributed via College systems including electronic communications, the Internet or telephone. Neither staff nor students should put on any system any material that discriminates or encourages discrimination or harassment on racial or ethnic grounds or on grounds of gender, sexual orientation, marital status, age, ethnic origin, colour, nationality, religion or disability.

12. Monitoring

The College reserves the right, without notice, to access, listen to or read any communication made or received by staff or students on its computers or telephone system for the following purposes:

- to establish the existence of facts
- to ascertain compliance with regulatory or self-regulatory practices and procedures
- to investigate or detect unauthorised use of systems
- to prevent or detect crime
- to provide practical help to prevent people from being drawn into terrorism and violent extremism
- to intercept for operational purposes, such as protecting against viruses and making routine interceptions such as forwarding e mails to correct destinations
- to check electronic communications systems when you are on holiday or on sick leave.

All monitoring must be undertaken by personnel who will be subject to security and confidentiality requirements and will be trained in Data Protection.

Staff

Managers should not monitor their staff's e-mail, telephone or internet usage. Where an issue arises where there may be a case to monitor such usage, the manager will explain the concerns to the Head of ICT and the Director of HR & Corporate Services, and they will determine jointly if monitoring is recommended.

In cases where targeted monitoring is recommended, the Principal and Chief Executive will make the decision to monitor a member of staff's email, telephone or internet usage before monitoring is actioned.

If information in relation to Trades Union activities is accessed, the relevant Trades Union Officer should be informed.

The College reserves the right to monitor time spent by staff accessing the Internet for browsing. The College will conduct real time live monitoring of sites visited, the content viewed or information downloaded.

The College reserves the right to make and keep copies of telephone calls, electronic communications and data documenting use of the telephone, electronic communications and/or the Internet systems, for the purposes set out above.

Students

Where an issue arises where there may be a case to monitor a specific student's usage of email or the internet, the Head of School will explain the concerns to the Head of ICT and they will determine jointly if monitoring is recommended.

The College reserves the right to monitor the activity of students accessing the Internet for browsing. The College will conduct real time live monitoring of sites visited, the content viewed or information downloaded. This will be done to ensure adherence with the Acceptable Use Policy and the PREVENT Duty for Staff Policy and Procedure.

The College also reserves the right to make and keep copies of electronic communications and data documenting use of electronic communications and the Internet systems, for the purposes set out above.

13. Reporting misuse

Anyone who suspects misuse of the College electronic communications, Internet or telephone systems should in the first instance advise the Head of ICT and the Director of HR & Corporate Services.

14. Evaluation and review

The performance of this Policy will be reported on annually and it will be formally reviewed every five years by the appropriate Corporation committee.

In addition, the effectiveness of this Policy will be monitored as necessary on an on-going basis to ensure it is compliant with relevant legislation.