



Electronic Communications Policy

Policy Reference Number	16 CP
Responsible Department	Corporate & Community Services
Related Policies	Code of Conduct for Elected Members, Records Management, Risk Management, Code of Conduct for Employees, Elected Members' Allowances and Support
Related Procedures	Nil
Date of Initial Adoption	06 February 2007
Last Reviewed by Council	15 March 2011

1. Purpose

The purpose of this Policy is to ensure the proper use of Campbelltown City Council's electronic communication systems by Council staff and Elected Members for their intended purposes without infringing legal requirements, Council policies or creating unnecessary business risk.

2. Introduction

This Policy is fundamental to sound risk management. Council is required to regulate use of:

- [Internet/intranet sites \(including but not limited to discussion lists and forums, news groups, library catalogues, and chat\)](#)
- [Email](#)
- [Electronic journals](#)
- [Electronic data of any form](#)

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so that Council staff and Elected Members have a safe working environment and the Council is protected from commercial harm and exposure to liability. To achieve this, electronic messages sent, received, forwarded or transmitted may from time to time be subject to monitoring or retrieval.

Users should be aware that, although there are access passwords and the like, there is general "insecurity" for communications via Internet and [Email](#). Electronic communications, even if expressed to be confidential, may have to be disclosed in court proceedings or in investigations by competition authorities and regulatory bodies or in response to a Freedom of Information application.

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This Policy applies to all Council staff and Elected Members.

3. Power to Make the Policy

Council makes this Policy in accordance with Section 107(2)(f) of the Local Government Act 1999 and Section 19 of the Occupational Health, Safety and Welfare Act 1986 regarding the provision of a safe working environment.

This Policy is also made to ensure that permitted use of Council's electronic communication facilities is consistent with other relevant laws, policies and practices regulating:

- copyright breaches and patent materials legislation;
- anti-discrimination legislation;
- the Spam Act 2003;
- practices regulating discriminatory speech and the distribution of illicit and offensive materials, particularly those that are sexual or pornographic in nature.

4.Strategic Plan Link

This Policy has the following link to Council's Strategic Plan [2010-2020](#):

Goal 2 - Leadership

A Council providing strong leadership and [excellent service delivery](#)

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5. Principles

Electronic communication facilities such as telephones, [mobile phones](#), Internet, [Intranet](#) and [Email](#) are Council resources provided for the purpose of assisting Council staff and Elected Members in the proper discharge and performance of their legislative functions and duties.

Council staff and Elected Members must be efficient, economical and ethical in their use and management of Council resources.

All rules that apply to use and access of electronic communication facilities throughout this Policy apply equally to facilities owned or operated by the Council wherever the facilities are located.

6. Definitions

Definitions for the purpose of this Policy are:

Council staff Includes persons employed by the Council, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Council's resources.

Electronic Communications Facilities Includes, but not restricted to, telephones (includes hard wired, cordless & mobile [phones](#)), computers connected to any network or data circuit ([including but not limited to PC's, Ipads, laptops, netbooks](#)), [email](#), facsimiles, Internet and Intranet, two way radios, pagers (beepers) and satellite communications equipment.

Electronic Messaging Electronic Messaging is a generic term encompassing all forms of electronically mediated communication. This includes electronic mail, text messages, office communicator [or Internet](#) (chat), voice mail, electronic document exchange (Electronic FAX), electronic data interchange (EDI), and multi media communications such as tele/video conferencing and videotext.

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Email	It involves the electronic transmission of information as electronic messages over computer-based data/voice communications network. Is a service that enables people to exchange documents, files or messages in electronic form. It is a system by which people can send and receive messages via computers or mobile devices. Each person has a designated mailbox that stores messages sent by other users. Messages may be retrieved, read and forwarded or re-transmitted from the mailbox.
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.
Hack	To attempt by illegal or unauthorised means to gain entry into another's computer system or files.
Internet	A global research, information and communication network providing services such as file transfer and electronic mail.
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.
Telephones	Include (but not limited to) hard-wired desk telephones, cordless and mobile telephones.

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7. Policy

Council makes its electronic communication systems available to Council staff and Elected Members to enable efficient sharing and exchange of information in the pursuit of Council's goals and objectives. All Council staff and Elected Members have a responsibility to ensure their proper use.

Misuse of Council's facilities by staff or Elected Members can damage Council's corporate and business image and intellectual property generally, and could result in legal proceedings being brought against both Council and the user.

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- 7.1 . Personal Use¶**
- Electronic communication facilities are primarily provided for Council's business use and must be used in accordance with this Policy and related procedures. Reasonable personal use of the Council's electronic communication facilities is permissible. However, personal use is a privilege, which needs to be balanced in terms of operational needs. Personal use must be appropriate, lawful, efficient, proper and ethical and in accordance with any Council direction or Policy.¶
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- Personal notices or advertisements which are for the information of Council staff only should be placed within the Announcements section of the Intranet and should not be sent directly to staff via the email system.¶
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- Council staff and Elected Members reasonably suspected of abusing personal use requirements will be asked to explain such use.¶

7.1 Passwords and Password Confidentiality

Elected Members and Staff need to create passwords that are sufficiently complex, include letters and numbers and contain at least 8 characters.

Staff and Elected Members are not permitted to interfere with any password. It is prohibited for anyone to:

- share their password/s with others, unless requested by IT staff;
- hack into other systems;
- read or attempt to determine other people's passwords;
- breach computer or network security measures;
- monitor electronic files or communications of others except by explicit direction from the Chief Executive Officer (or nominee) or the General Manager Corporate and Community Services (or nominee), or
- place passwords on electronic files stored on Council's network or EDRMS system.

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Council staff and Elected Members are required to disclose their Campbelltown Council password/s to the Chief Executive Officer upon request.

7.2 Identity

Elected Members and Staff will not attempt to send electronic communication which conceals or attempts to conceal their identity.

7.3 Personal Use

Electronic communication facilities are primarily provided for Council's business use and must be used in accordance with this Policy and related procedures. Reasonable personal use of the Council's electronic communication facilities is permissible. However, personal use is a privilege, which needs to be balanced in terms of operational needs. Personal use must be appropriate, efficient, ethical, meet the requirements of clause 7.4 of this Policy, and any other Council Codes and Policies or directives given by the Chief Executive Officer (or nominee).

Personal notices or advertisements which are for the information of Council staff only should be placed within the Announcements section of the Intranet and should not be sent directly to staff via the email system.

Council staff and Elected Members reasonably suspected of abusing personal use requirements will be asked to explain such use to the Chief Executive Officer (or nominee).

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7.4 Inappropriate / Unlawful Use

The use of Council's electronic communications system to make or send fraudulent, unlawful or abusive information, calls or messages is prohibited. Council staff or Elected Members who receive any threatening, intimidating or harassing telephone calls or electronic messages should immediately report the incident to the Chief Executive Officer, the Manager Organisational Development or the Risk Management Coordinator.

Any Council staff member or Elected Member identified as the initiator of fraudulent, unlawful or abusive calls or messages may be subject to disciplinary action and/or criminal prosecution.

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The use of hand held mobile phones whilst driving is an offence under the Australian Road Rules and Council will not be responsible for the payment of any fines incurred as a result of the unlawful practice.

All Council staff and Elected Members should be aware that it is illegal to record telephone conversations, unless it is authorised under the Listening and Surveillance Devices Act 1972.

Inappropriate use includes (but is not limited to):

- use of Council's electronic communications facilities to intentionally create, store, transmit, post, communicate or access any fraudulent or offensive information, data or material including pornographic or sexually explicit material, images, text or other offensive material;
- gambling activities;
- [cyber-bullying activities](#);
- representing personal opinions as those of the Council; and
- use contrary to any legislation or any Council [Code or Policy](#).

Use of Council electronic communication facilities must NOT violate Federal or State legislation or common law. It is unlawful to transmit, communicate or access any material, which discriminates against, harasses or vilifies colleagues, Elected Members or members of the public on the grounds of:

- gender;
- pregnancy;
- age;
- race (nationality, descent or ethnic background);
- religious background;
- marital status;
- physical impairment;
- HIV status; or
- sexual preference or transgender.

7.5 Use of Internet / Web Sites

When using PCs on the corporate network, it is unacceptable to:

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- intentionally download unauthorised software;
- download files containing picture images, live pictures or graphics for personal use;
- download computer games or music files, or access web radio or TV stations; or
- visit unauthorised social media or websites including chat lines / rooms, on-line gambling, sexually explicit or pornographic web sites.

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Council has installed appropriate filtering via its firewall to limit access to inappropriate sites and prevent the downloading of any software or unsafe files in order to limit the possibility of harmful content entering the network.

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7.6 Use of Email

Email is not to be used, either externally or internally, for:

- soliciting outside business ventures or for personal gain;
- distributing software which is inconsistent with any vendor's licence agreement; or
- unauthorised accessing of data or attempt to breach any security measures on the system or attempting to intercept any data transmissions without authorisation.

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7.7 Security and Confidentiality

Council staff and Elected Members should be aware that sensitive or personal information conveyed through electronic communication facilities cannot be guaranteed as completely private, and are subject to Freedom of Information legislation. The potential also exists for sensitive information to be read, intercepted, misdirected, traced or recorded by unauthorised persons unless it has been encoded or encrypted.

Email systems should not be assumed to be secure. Care and discretion should be exercised by users as whilst email messages might be perceived to be instant in nature and instantly disposed of, they are retained by both the recipient and the sender until specifically disposed of, and within Council's systems there is an additional backup journal which contains all messages which are sent between email accounts. This mail journal is stored and kept permanently.

Information regarding access to Council's computer and communication systems should be considered as confidential information and not be divulged without authorisation. Users are expected to treat electronic information with the same care as they would paper-based information, which is confidential. All such information should be kept secure and used only for the purpose intended. Information should not be disclosed to any unauthorised third party and it is the responsibility of the user to report any suspected security issues.

All Emails sent outside the Council will contain a message to the effect that:

The City of Campbelltown is committed to providing our customers with excellent service. If we can assist you in any way please either telephone (08) 8366 9222 or visit our website www.campbelltown.sa.gov.au.

CONFIDENTIALITY: The contents are confidential and intended only for the named recipient of this email. If the reader of this email is not the intended recipient you are hereby notified that any use, reproduction, disclosure or distribution of the information contained in the email is prohibited. If you have received this email in error, please reply to us immediately and delete the document. The City of Campbelltown advises that, in order to comply with its obligations under the State Records Act 1997 and the Freedom of Information Act 1991, email messages sent to or received may be monitored or accessed by Council staff other than the intended recipient.

VIRUSES: Any loss/damage incurred by using this material is not the sender's responsibility. The City of Campbelltown's entire liability will be limited to resupplying the material. No warranty is made that this material is free from computer virus or other defect.

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Deleted: Emails addressed to 'Everyone' as any responses sent by pressing the 'Reply to All' button will be addressed to ALL staff. As such, Council staff and Elected Members are advised to take care in writing emails. Individual replies should be directed to the sender using the 'Reply' button.¶

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7.8 Defamation

It is unlawful to be a party to or to participate in the trafficking of any defamatory message. To defame someone, defamatory material, including words or matter, must be published which is or is likely to cause an ordinary, reasonable member of the community to think less of the defamed person (the plaintiff), or to injure the plaintiff in his or her trade, credit or reputation.

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For the purpose of defamation law, 'publication' is very broad and includes any means whatsoever that is used for communication, including electronic messaging. A message containing defamatory material made electronically is, by its very distribution, 'published'. A message containing defamatory material is also published if it is simply received electronically and forwarded on electronically. Elected Members and Staff should be aware that Council is at risk of being sued for any defamatory material stored, reproduced or transmitted via any of its facilities.

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7.9 Copyright

Not all information on the Internet is in the public domain or freely available for use without proper regard to rules of copyright. Much of the information is subject to copyright protection under Australian law and, by Australia's signature to international treaties, also protected at international levels. 'Use' includes downloading, reproducing, transmitting or in any way duplicating all or part of any information (text, graphics, videos, cartoons, images or music) which is not in the public domain.

Council staff and Elected Members should not assume that they can reproduce, print, transmit or download all material to which they have access. Council staff and Elected Members have rights to use material consistent with the technology or the rights of the owner of the material. Material reproduced outside permitted uses or without the permission of the owner may be unlawful and may result in disciplinary and / or legal action against the Council staff member or Elected Member and legal action against the Council.

7.10 Monitoring and Breaches

Council may monitor, copy, access and disclose any information or files that are stored, processed or transmitted using Council's electronic communication facilities. Such monitoring will be used for legitimate purposes only (such as legal discovery) and in accordance with any relevant legislation and/or guidelines.

Council's Chief Executive Officer (or nominee), or the General Manager Corporate and Community Services (or nominee), will undertake periodic monitoring, auditing and other activities to ensure Council staff and Elected Members' compliance with the acceptable usage of electronic communication facilities in reference to this Policy.

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Council staff and Elected Members who violate any copyright or license agreements are acting outside the scope of their employment terms and roles respectively, and may be personally responsible for such infringements.

Council staff and Elected Members who do not comply with this Policy may be subject to disciplinary action, including termination of employment for Council staff, and / or subject to criminal or civil proceedings.

Council staff and Elected Members should report breaches of this Policy to the Chief Executive Officer or the [General Manager Corporate and Community Services](#).

7.11 Record Keeping

Electronic communications which are sent and received by Council staff and Elected Members in the conduct of Council business are official records of Council and are required to be maintained in good order and condition under the State Records Act 1997 and in accordance with Council's Records Management Policy.

7.12 Use of USB Devices for Transporting Council's Electronic Files

Staff are restricted from using USB's to transport Council's electronic records due to the risk of virus infection from computers not within Council's network. [Access is provided to specific staff who have an identified business need. Access to files on USB's can be provided to staff by Information Services upon request.](#)

8. Review & Evaluation

This Policy will be reviewed annually. The Chief Executive Officer will report to Council on the outcome of the review and make recommendations for amendment, alteration or a substitution of a new Policy if considered necessary.

9. Availability of the Policy

This Policy will be available for inspection at Council's principal office during ordinary business hours and at Council's website www.campbelltown.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

Deleted: It is the responsibility of the staff member either writing or receiving the email to ensure that all business related emails which are not of a transient nature are registered into Council's Electronic Records Management System (TRIM) *in a timely fashion*. Elected Members should utilise the email account provided by Council for Council related business which ensures that Records staff will register relevant correspondence on their behalf

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