



COMMUNICATIONS DEVICE POLICY

Summary:

The purpose of this policy is to provide clear direction to Tenterfield Shire Council's (TSC) requirements and expectations regarding the use of its communications devices.

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Approved By	Council
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Consultation Period	28 days unless statutory period
Review Due Date	4 years – or following and ordinary election.
Department	Civic Office
Policy Custodian	Manager HR, Workforce Development & Safety
Superseded Documents	(Insert)
Related Legislation	<i>State Records Act 1998</i> <i>GIPA Act</i> <i>Privacy & Personal Information Protection Act 1998</i>

1. Purpose

The purpose of this policy is to document Tenterfield Shire Council's (TSC) requirements and expectations regarding the use of its communications devices. The policy aims to ensure TSC employees understand the way in which TSC's communication devices should be used in the organisation. TSC makes its communication systems available to employees to enable efficient sharing and exchange of information in the pursuit of TSC's goals and objectives.

2. Scope

This policy applies to Councillor's, all TSC employees, contractors, consultants, temporary and casual employees and any other authorised personnel offered access to TSC communication devices and systems. Communication devices and systems include but are not limited to:

- All computers (laptop and desktop).
- All iPads, tablets, data phones.
- TSC's Social Media Apps.
- TSC's email system.

- All telephones (land-line and mobile).
- All copying devices.
- All two-way radios.
- Facsimile machines.

3. Personal Use

Reasonable personal use of TSC's communication devices is permissible; however, personal use is a privilege, which needs to be balanced in terms of operational needs; its use must be appropriate, lawful, efficient, proper and ethical.

TSC recognises that:

- Councillors and Employees are also private citizens with individual personal needs and obligations.
- Councillors and Employees may need to make use of communication devices for personal purposes.
- There is a reasonable limit to which TSCs' communication devices may be used for personal purposes.

Every employee has a responsibility to be productive and act appropriately during their work time, therefore, personal use:

- Should be infrequent and brief.
- Must not disrupt TSC communication systems.
- Should not interfere with the employee's job responsibilities or detrimentally affect the job responsibilities of other employees.
- Employees reasonably suspected of abusing personal use requirements will be asked to explain such use.
- Councillors and Staff who have been allocated a laptop or other communications devices (iPad, data phone, etc.) are responsible for all access to websites, emails, downloads, etc. that occur on that device whilst at work, at home or elsewhere by themselves or by any other person.

4. Inappropriate Use

The use of TSCs communications devices to make or send fraudulent, offensive, sexually explicit, unlawful or abusive information, calls or messages is **strictly prohibited**.

Any employee identified as the initiator of fraudulent, unlawful or abusive calls or messages will be subject to disciplinary action and possible criminal prosecution.

Staff who receives any threatening, intimidating or harassing telephone calls or electronic messages should immediately report the incident to their Manager/Supervisor / General Manager.

All employees should be aware that it is illegal to record telephone conversations unless authorised under relevant legislation to do so.

5. Sites

All staff access to the internet is routed through TSC's proxy server (ARC IT Section). All sites visited by staff are logged and are available for review. TSC makes available a filtered Internet for staff use. Sexually explicit, offensive and other sites are not available. Blocked sites that are required for business activities should be approved by a member of senior management prior to being unblocked.

Staff are not to:

- Intentionally download or load unauthorised software.
- Visit inappropriate Web sites.

6. Use of Email

Email (external / internal) forms part of the official business communications of TSC (see TSC's Records Management Policy).

As such, email is governed by the same legislative requirements (State Records Act 1998, GIPA Act, Privacy & Personal Information Protection Act 1998,) as all other TSC records.

Email is accessible through TSC's E-mail Server. All business-related emails must be registered in the electronic document management system and not stored in email accounts.

All emails, both external and internal, are archived by TSC (ARC IT Servers) and are available for review. Such reviews will be authorised by the General Manager.

In addition to inappropriate usage restrictions for communication devices, email is **not** to be used for:

- Sending or distributing 'chain' letters, 'hoax' mail or for other mischievous purposes (spam).
- Unauthorised accessing of data or attempt to breach any security measures on the system, attempting to intercept any data transmissions without authorisation.
- Sending E-mail messages of a defamatory nature. Email can be used as evidence in a court of law. TSC and the sender can both be held liable for publishing defamatory material.
- Sending or distributing any individual's personal information without authorization (State Records Act 1998, GIPA Act, Privacy & Personal Information Protection Act 1998, Section 4.)

7. Email – Leave Arrangements

When employees are on extended leave, the 'Out of Office Assistant' is to be used to inform each sender:

- When the employee will be back from leave, and
- Urgent matters should be e-mailed to TSC's central email address; council@tenterfield.nsw.gov.au

When the employee returns to work they are to ensure that the 'Out of Office Assistant' is turned off and all relevant matters have been or will be dealt with.

8. Email – Prevention of Virus Attacks

Recipients of e-mail messages that have a suspicious title are **NOT** to open the e-mail message without prior consultation with TSC's IT Section. Although virus protection software is installed, there is no guarantee that this will prevent all viruses from infiltrating the TSC network.

Where documents are received as an attachment to an email message, these attachments, under all circumstances, must be scanned by anti-virus software to avoid the potential risk of infecting the TSC network.

Software programs received as an attachment to an email message are not to be installed onto a PC or TSC's network under any circumstances without the prior permission of the General Manager who will consult TSC IT Section.

(a) Email Disclaimer

The following should be included as a standard footer, on every external email sent from TSC's system:

IMPORTANT NOTICE REGARDING CONTENT & CONFIDENTIALITY

The views expressed in this email are not necessarily those of TSC unless otherwise stated. Whilst TSC does use anti-virus software this cannot ensure that this message is free from viruses or any other defect or error.

This electronic message is intended only for the addressee and may contain confidential information. If you are not the addressee, please be advised that any transmission, distribution or photocopying of this e-mail is strictly prohibited. The confidentiality attached to this e-mail is not waived, lost or destroyed by reasons of a mistaken delivery to you. The information contained in this e-mail transmission may also be subject to State Government access to information legislation. If you have received this email in error, please contact the author of the message, as soon as practicable.

9. Monitoring Use and Breaches of this Policy

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

Reviews of email and phone usage may occur at the request of the General Manager.

TSC employees who breach this policy may be subject to disciplinary action pursuant to TSC’s Code of Conduct and the NSW Local Government (State) Award. Such disciplinary action may include termination of employment.

Councillors who breach this policy may be subject to disciplinary action pursuant to TSC’s Code of Conduct and the NSW Local Government Act 1993.

10. Private Use Payment

TSC allows limited personal use as per this policy.

The General Manager shall review annually a private use limit before private use accounts are issued to employees. This limit is the minimum amount to cover the costs of administration and account issue on a monthly basis and the cost to TSC based on the phone plan or service provided. E.g. A corporate phone plan with unlimited calls and text may require no employee contribution.

Private use of Mobile Phones as approved by TSC (excluding the Mayor/General Manager) will require the staff member to reimburse the costs of data usage that exceeds normal business use and/or mobile device plan limit.

A staff member may make arrangements to make weekly deductions for payment of phone excess private usage.

Full payment of the phone account will be made within 30 days of receipt of the phone account.

11. Review

This policy should be reviewed every 4 years or following an ordinary election of TSC. The policy may be reviewed and amended at any time at TSC’s discretion (or if legislative or State Government Policy changes occur).

12. Staff Acknowledgement

The General Manager must ensure that all new staff, and existing staff, receives a copy of this policy. Councillors and staff shall be requested to sign the TSC Communications Agreement (Attachment 1) after the Councilor and staff member have read the policy document.

13. Related TSC Policies

- TSC Records Management Policy
- TSC Code of Conduct

14. Version Control & Change History

Version	Date	Modified by	Details
V1.0	TBA	Council	Adoption of Original Policy
			Review/Amended

ATTACHMENT 1:

TSC COMMUNICATION DEVICE AGREEMENT

NAME: _____

- I understand my responsibility as a user of TSC’s communication devices and systems including private use payments where approved.
- I have received, read, understand and will abide by the TSC Communication Devices Policy.
- I understand that any breach of the Communication Devices Policy may result in disciplinary action under TSC’s Code of Conduct and may be dealt with pursuant to the NSW Local Government (State) Award or Local Government Act 1993.
- I also understand that if I commit any breach of this policy, my access privileges may be revoked.

User Signature: _____

Date: _____