



## Policy

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# 01 COMMUNICATION DEVICES & THE INTERNET

Version 03

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Strategic Outcome: Good government

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Responsible Officer: Director Corporate Services

## 1. POLICY STATEMENT

Berrigan Shire Council staff and Councillors must be efficient, economical and ethical in their use and management of public resources. Communication devices and services, such as telephones and e-mail, are public resources provided for business purposes and all users have a responsibility to ensure their proper use.

## 2. PURPOSE

The policy provides direction to Councillors and Council staff on appropriate use of Council-provided communication devices and the internet

## 3. SCOPE

All Councillors, Council staff and volunteers with access to Council-provided communication devices and Council-provided internet access

## 4. OBJECTIVE

This policy is developed to assist the Council with the following Delivery Plan Objectives:

*2.2.2 Council operations support ethical, transparent and accountable corporate governance.*

## 5. DEFINITIONS

A communication device includes:

- Telephones
- Facsimiles
- Mobile telephones



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- Computers (including but not limited to desktop personal computers, notebook or laptop computers, tablet computers [i.e iPads] and servers)
- Two-way radio devices
- Other peripheral devices such as scanners, printers, photocopiers, speakers etc.

The principles contained in this policy, however, are equally applicable to any other communication device provided by Berrigan Shire Council for business use.

The internet includes:

- Electronic Mail (E-mail),
- the World Wide Web,
- online mobile applications, and
- “peer-to-peer” networking sites

Again, the principles contained in this policy are equally applicable to any other service or platform provided via the internet.

Access to the internet may be via:

- A fixed line connection
- a data connection through a mobile telephone or other device
- a satellite connection

## **6. POLICY IMPLEMENTATION**

### **6.1. Economic Use**

Staff and Councillors are encouraged to use electronic means of communication where appropriate.

Computers and other electronic communication equipment should be used in as efficient a manner as possible.

### **6.2. Electronic Mail**

Electronic mail (e-mail) is a business communication and sending it is classed as a business transaction. All e-mails sent or received via the Berrigan Shire e-mail address are the property of Berrigan Shire Council and are subject to regular monitoring and screening.

Sending an e-mail from your network account is similar to sending a letter on the council’s letterhead. E-mail transactions should be handled with the normal courtesy, discretion and formality of all council communications.



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Using Council's e-mail facilities for communicating with family and friends is a limited privilege which should be negligible and not interfere with work responsibilities or business productivity. Use of Council's e-mail system for the benefit of a charity, sports, religious, trade, or industry groups is subject to the authorisation of the General Manager.

In the event that private material is received or sent from council communication devices, privacy of this material is not guaranteed. Personal e-mails that contain inappropriate material and are excessive in size or frequency may be blocked and the sender blocked from sending further e-mails to Council.

Viruses should be reported to the Technology and Innovation Officer immediately, and care needs to be taken to prevent unauthorized use of copyright material.

It is acknowledged that a user may at times receive unsolicited material which is in breach of this policy. In this event it is the duty of the user to immediately delete the offending material.

### **6.3. Internet use and restrictions**

Using Council's internet facilities for personal use is a limited privilege which should be negligible and not interfere with work responsibilities or business productivity.

The Council has the means to monitor use of the internet on the Council's equipment or using the Council's Wi-Fi network and to restrict access to particular applications and/or sites, either on a Council-wide or a user-by-user basis.

Access to websites and/or applications will be blocked if:

- The site contains material that is racist, discriminatory, derogatory or obscene or otherwise offensive.
- Use of the site is not consistent with maintaining staff productivity. This includes, but is not limited to, online games, social networking sites, online auction sites, instant messaging applications etc.
- Use of the site or application may compromise network security or performance.

Other sites may be blocked as determined by the Director Corporate Services on a case by case basis.



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Allowing access to a blocked site or application will only be made if it can be demonstrated to the satisfaction of the Director Corporate Services that the site is:

- Related to the performance of the duties as per their job description or general responsibilities, or
- Will not affect workplace productivity or be otherwise inappropriate for a work environment.

The blocking and unblocking of websites and/or applications must only occur on the advice of the Director Corporate Services or the Finance Manager.

With the express permission of the General Manager, use of social networking sites such as Facebook and Twitter may be approved for the purposes of informing the public about Council matters. Such use will be in line with the Council's policies on the provision of information to the public.

### **6.4. Record Keeping**

Business communications sent electronically (e.g. e-mail messages) become official records, subject to statutory record keeping requirements. Electronic records are subject to the same standards of record keeping that apply to paper records and should be filed in the relevant property and/or subject file in council's central filing system.

Some electronic records cannot be maintained in hard copy form without loss of content or meaning and are best maintained in electronic form. Such messages must be maintained in an electronic form with appropriate back-up measures instituted. Care should be taken before deleting any electronic business communication.

### **6.5. Security**

Staff and Councillors should be alert to the possibility that any messages conveyed through communication devices can be intercepted, traced or recorded. Such practices are normally illegal, but there can be no expectation of privacy. Password or personal identity number protection should be used on all mobile devices (eg. mobile telephones, laptop computers, pagers) that are vulnerable to theft.

Information regarding access to council's computer and communication system shall be considered as confidential and should not be divulged without authorisation.

New devices or software should only be installed with the express permission of the Council's Technology and Innovation Officer and the misuse of user privileges will not be tolerated.

### **6.6. Unlawful Use**



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The use of any telecommunications system to make or send fraudulent, unlawful, or abusive information, calls or messages is prohibited.

Persons receiving any threatening, intimidating or harassing telephone calls or electronic messages should immediately report the incident to their immediate supervisor who will report the incident to their Director (or in the absence of their Director the General Manager).

Persons who initiate fraudulent, unlawful or abusive calls or messages may be subject to disciplinary action and possible criminal prosecution.

The use of a hand held mobile telephone while driving is an offence under the *Road Rules 2008* and Berrigan Shire Council will not be responsible for the payment of any fines incurred.

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

### **6.7. Personal Use**

The Council acknowledges that family and community responsibilities impact on Council business. It therefore accepts that its communication devices may need to be used for personal reasons.

Such use should be infrequent and brief, and should not involve activities that might be questionable, controversial, offensive, or could cause embarrassment to the council. This includes gambling, online auction sites, accessing chat lines, pornography, transmitting inappropriate jokes, sending junk programs or mail that could be considered racist, discriminatory, derogatory or obscene.

Personal use does not extend to the sending of non-business related written material to any political organisation.

The use of Council communication devices in the operation of any business activity other than legitimate Berrigan Shire Council business is prohibited.

Personal use of Council-provided communication devices is not considered private, and staff and Councillors using such devices do not have the same personal rights as they would have when using private or public communication devices.

Persons reasonably suspected of abusing personal use of Council-provided communication devices may be asked to explain such use (which may be monitored as part of the council's responsibility to implement appropriate control mechanisms). Persons who continue to disregard Council's communication devices policy will be subject to disciplinary process applicable to them.



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The guidelines for personal use as outlined in this policy relate equally to travel-related use of Council-provided communication devices.

While Councillors provided with mobile telephones and tablet computers are permitted to personalize those devices to suit their individual needs, use of the devices must remain consistent with the Council's Policy on the payment of expenses and provision of facilities to Councillors and Mayors.

### **6.8. Industrial Awards and Enterprise Agreements**

Nothing in this policy over-rides the rights of accredited union delegates to use council's communication devices in accordance with the conditions contained in properly constituted industrial instruments or other legislation.

### **6.9. Monitoring**

All staff and Councillors should be aware that their use of communication devices may be randomly monitored to ensure adherence to the policy.

## **7. RELATED POLICIES OR STRATEGIES**

### **7.1. Legislation**

- *Local Government Act 1993*
- *Workplace Surveillance Act 2005*
- *Road Rules 2008*

### **7.2. Other documents**

- Local Government (State) Award 2010
- Division of Local Government Circular 8/24 – Misuse of Council Resources

### **7.3. Council plans, policies and strategies**

- *Berrigan Shire 2023 (Community Strategic Plan)*
- Berrigan Shire Council Code of Conduct
- Berrigan Shire Council Guidelines for the payment of expenses and the provision of facilities to staff members
- Berrigan Shire Council Information and Communication Technology Strategic Plan
- Payment of expenses and the provision of facilities for Mayors and Councillors
- Media Policy
- Social Media Policy
- Workplace Bullying and Harassment Policy