



AGENDA ITEM: 6

CABINET: 23rd May 2006
STANDARDS COMMITTEE:
1st June 2006

Report of:	Assistant Chief Executive
Relevant Portfolio Holder:	Councillor A. Owens
Contact for further information:	Mr C.J. Isherwood (Extn. 5083)

SUBJECT: PROTOCOL ON THE USE OF ICT BY MEMBERS

District wide interest

1.0 PURPOSE OF THE REPORT

1.1 To seek Members agreement to the above protocol.

2.0 RECOMMENDATIONS

2.1 That the attached Protocol be approved and included at Part 5 of the Council's Constitution.

2.2 That delegated authority is given to the Assistant Chief Executive in consultation with the Portfolio Holder for Finance to review and update the Protocol as appropriate.

3.0 BACKGROUND

3.1 The current ICT Security Policy was approved by Council in April 2002 and subsequently re-issued in June 2003. The policy had been written following advice from District Audit and with regard to best practice procedures in ICT Security.

3.2 The policy covered both the aspects of physical security, required to guard against theft and other fraudulent loss, together with the use of e-Mail and Internet access.

4.0 PROTOCOL

4.1 A new protocol on the use of ICT by Members has been prepared to take account of the increased use of ICT systems throughout the Authority.

5.0 PROPOSALS

5.1 It is proposed the protocol will be issued to all Members and shown on the intranet.

5.2 This protocol will be subject to an annual review due to the speed and growth in potential new technologies and updated when necessary.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 There are no sustainability implications arising from this report..

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 There are no direct financial or resource implications arising from this report.

8.0 RISK ASSESSMENT

8.1 Failure to have an adequate ICT Security Protocol in place could result in losses both financially and to the Council's reputation, in the event of data or I.C.T. equipment being lost, stolen or destroyed.

8.2 The protocol will assist Members in complying with their obligations under the code of conduct.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

A) Protocol on the use of ICT by Members

Appendix A

**WEST LANCASHIRE DISTRICT COUNCIL
PROTOCOL ON THE USE OF ICT BY MEMBERS
APRIL 2006**

Protocol on the use of ICT by Members

1.0 Introduction

- 1.1 The Council provides Councillors with computers to use at home to facilitate the performance of their duties as Councillors. The Council is committed to the development of e-Working to increase the range of information which is available to Councillors electronically and to enable Councillors to conduct more of their business remotely. The use of these computers can make Councillors much more effective, but there are risks associated with such use. This protocol sets out the conditions on which such computers are provided, in order to minimise those risks both to the Council and to individual Councillors.
- 1.2 Each Councillor is required to sign a copy of this protocol as a condition of being provided with the computer and must comply with the terms of this protocol. For this purpose, "Computer" means the computer or Personal Digital Assistant (PDA) handheld device provided to the Councillor by the Council, together with any equipment, software or materials provided for use with the computer.
- 1.3 It is intended that this protocol will be subject to an annual review by the e-Government Programme Manager due to the speed and growth in potential new technologies.

2.0 Security of the Computer

- 2.1 The Councillor accepts responsibility for the safekeeping of the computer made available for their use. The computer should be kept in a secure environment. It should not be exposed to extremes of heat or humidity, nor should it be exposed to water, dust or dirt. Drinks and food should be kept well away from the computer.
- 2.2 If the computer is left unattended it should be kept in a securely locked building or room.
- 2.3 **When the computer is being transported a carrying case should preferably be used to reduce the risk of accidental damage. The computer must not be left unattended in a vehicle unless all doors, windows and other means of access have been secured and locked and all keys of the vehicle removed to a place of safety, and the equipment placed in the boot of the vehicle. The insurers accept that the rear compartment of a hatchback vehicle is considered to be the boot as long as the equipment is stored under the factory fitted cover. Failure to adhere to this will mean that insurance cover will not be available and that the Council may look to the Councillor for indemnity.**
- 2.4 The users of the computer in a public place should be vigilant as theft is common. Sensitive information (e.g. personal data or confidential information) should not be displayed in a public place where it could be overlooked.

- 2.5 The Councillor should not use the computer if there is any doubt as to its safety. The Councillor should contact the ICT Services Help Desk on extn. 5078 for advice. Equipment should only be repaired by ICT Services staff or organisations approved by ICT Services. New equipment must not be used under any circumstances until it has been electronically tested (PAT tested) by a qualified electrician.
- 2.6 Access to the Council's information systems via the computer is subject to password security. The Councillor shall ensure that no-one other than the Councillor is given access to those Council information systems and shall not reveal any such password to any other person.
- 2.7 Deliberate unauthorised access to copy, alter or interfere with any computer system, program or data is prohibited.
- 2.8 Most proprietary software used by the Authority is licensed for use on a single computer system only. Copies of software should not be made (except for backup purposes) without the written permission of the Assistant Chief Executive.

3.0 Use for Council Business

- 3.1 The computer is provided to the Councillor specifically to facilitate the discharge of the Councillor's functions as a Councillor. The Councillor must therefore not use the computer in any manner which will prevent or interfere with its use for that purpose.
- 3.2 Accordingly, the Councillor must not:
 - 3.2.1 Misuse the computer in such a manner as to cause it to cease to function.
 - 3.2.2 Install or use any equipment or software which may cause the computer to malfunction.
- 3.3 The Councillor must:
 - 3.3.1 Ensure that the computer is maintained in a working condition.
 - 3.3.2 Report any faults promptly to the ICT Services Help Desk.
 - 3.3.3 Provide regular access to Council officers to service, maintain and repair the computer.
 - 3.3.4 Accept responsibility for the content of all text, audio or images that they place or send over the Authority's e-mail and Internet. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. All messages communicated on the Authority's e-mail and Internet system should contain the Councillor's name. Information sent to another

individual outside the Authority via e-mail are statements that reflect on the Authority.

3.3.5 Ensure that all communications sent comply with this and other Council policies and may not disclose any confidential or propriety Council information.

3.4 The Council provides the computer together with ancillary equipment and materials required for the Councillor's functions as a Councillor. Accordingly, the Council may decline to provide further equipment or material beyond a certain allowance where the use of such equipment or material appears to the Council to be required for private (non-Council) use.

3.5 Each Councillor will have their computer training needs assessed and will be provided with the appropriate training. Additional training can be arranged by contacting the ICT Help Desk on ext. 5078 or email ithelpdesk@westlancsdc.gov.uk

4.0 Other Use

4.1 Where the computer is not required for Council business, the Councillor may use it for private and personal purposes and may permit members of his/her immediate family to use the computer for private or personal purposes, but is then responsible for their use of the computer.

4.2 The Councillor is prohibited from publishing any material of a party-political nature. If the Councillor uses the computer for the preparation of any material of such nature, he/she must make it clear that such material is published in a private capacity and not by or on behalf of the Council, and that no costs have been incurred by the Council as a consequence of its publication.

4.3 The Council has obtained the necessary software licenses for the use of the computer by the Councillor in a private capacity, but not for any non-Council business use of the computer. **The computer should not be used for any non-Council business use.**

4.4 The Council accepts no responsibility for such private use of the computer or any loss, costs or liability which the Councillor or any other person may suffer as a result of the use of the computer.

5.0 Bringing the Council into Disrepute

5.1 The Councillor shall not use the computer or permit its use, in any manner which may bring the Council or Councillor into disrepute.

5.2 The Council's e-mail and Internet access must not be used for transmitting, retrieving or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-rated. Councillors accessing websites or receiving e-mails of an obscene or X-rated nature should contact the ICT Help Desk immediately. Harassment of any kind is prohibited. No

messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. No abusive, profane or offensive language is to be transmitted through the Council's e-mail or Internet system. Electronic media may also not be used for any other purpose which is illegal or against the Council's policy or best interest. All Councillors have a responsibility to maintain and enhance the Council's public image and to use the Council's e-mail and access to the Internet in a productive manner.

6.0 Inspection and Audit

- 6.1 The Council reserves the right to inspect the computer at any time. The Councillor is required to give Council officers access at any reasonable time for such inspection and audit, which may be undertaken remotely and without notice to the Councillor. Councillors are advised that the computer includes a history file which records its use, and particularly any websites which it has accessed.
- 6.2 E-mail is **not** confidential and should not be treated as such. The Council will routinely monitor usage patterns for e-mail and Internet communication. The reasons for monitoring are many, including cost analysis/allocation and the management of the Authority's gateway to the Internet. All messages created, sent or retrieved over the Authority's e-mail and Internet are the property of the Council and should be considered public information. The Council reserves the right to access and monitor all messages and files on the Authority's e-mail and Internet. Councillors should not assume electronic communications are totally private and should communicate confidential data in other ways.

7.0 Costs

- 7.1 In relation to Council use only, the Council will meet the cost of providing the computer, together with a limited supply of paper and printer cartridges (contact the ICT Help Desk on ext. 5078 or email ithelpdesk@westlancsdc.gov.uk if you need some more). The Council will provide a broadband link for the Councillor to dial in to the Council offices to access the Council systems for E-mail, intranet and Internet access. This link should never be used for the purpose of making telephone calls. Any telephone call charges will be re-charged to Councillors.
- 7.2 Each Councillor is responsible for his/her own electricity bill.

8.0 Return and Recovery of the Computer

- 8.1 The computer remains the property of the Council.
- 8.2 The Council reserves the right to require the Councillor to return the computer at any time and the right to recover the computer from the Councillor.
- 8.3 The Councillor is required to return the computer to the Council upon ceasing to be a Councillor.

9.0 Confidentiality

- 9.1 The Councillor will be able to access confidential Council information using the computer. The Councillor is responsible for ensuring the continued security of any such confidential information which he receives, including the security of any storage of such information on the computer. The Councillor is reminded of his/her obligations under the Council's Code of Conduct for Councillors not to disclose such confidential information to any third party.
- 9.2 Some of this information may be personal information relating to individuals. The unauthorised processing or disclosure of such information is prohibited under the Data Protection Act and the Councillor is responsible for ensuring that there is no such unauthorised disclosure from or processing via the computer. Councillors should be aware that failure to observe these requirements may result in actions including criminal sanctions. Councillor can obtain advice on the Act from the Council's Data Protection Officer.
- 9.3 Councillors holding information in relation to their duties as a Councillor should be aware that that information is potentially disclosable under the terms of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. Councillor should assist the Council in dealing with any requests under the aforementioned legislation within the statutory timescales.

10.0 Restriction of Use

- 10.1 The Council reserves the right to restrict the use of the computer if it has reason to believe that the use of the computer is likely to offend any provision of the Protocol. In particular, the Council reserves the right to:
- 10.1.1 remove or disable any software or equipment.
 - 10.1.2 remove any information stored on the computer.

Signed by

Councillor

Date: