



*"Not for self"*

## Oswestry Rural Parish Council

### EMAIL POLICY

#### Introduction

This policy sets out best practice for the parish council's use of the internet and email when dealing with council business.

This policy aims to ensure appropriate use of the council's website and email and to help mitigate the following risks:

- Harm to individuals.
- Damage to the council's reputation.
- Potential legal action and/or fines against the council or individual(s).

#### Scope

This policy applies to all members and employees of Oswestry Rural Parish Council. If any user disregards the rules set out in this policy the user may be fully liable.

#### Risk Management

Use of electronic communication carries inherent risks such as:

- Potential defamation.
- Spreading of viruses, including trojans which can steal data.
- Breach of confidentiality.
- Accepting files from sources which could bypass firewall or email filters.
- Breach of contract.
- Breach of data protection legislation.
- Breach of privacy and unlawful discrimination.

#### Emails

Most communication is carried out via email which is an efficient tool for corresponding. However, the council recognises that there are risks associated with the use of email and the extensive damage that can be caused by:

- Sending or forwarding emails, including an attachment, with any libellous, defamatory, offensive, racist or obscene remarks.
- Unlawfully forwarding confidential information.
- Unlawfully forwarding or copying messages without permission.
- Sending or forwarding an attachment that contains a virus.

#### Email Account

The council will allocate a dedicated parish council email account to all users for council business only.

#### Email Content

Email messages may be disclosed under the General Data Protection Regulation, the Freedom of Information Act 2000, or in legal proceedings in the same way as paper documents. Deletion from a user's inbox or archives does not mean that an email cannot be recovered; email messages should be treated as potentially retrievable, either from the main server or using specialist software.

Users should therefore take care with the content of email messages, as incorrect or improper statements can give rise to claims for discrimination, harassment, defamation, breach of confidentiality or breach of contract. Users should assume that email messages may be read by others and not include anything that would offend or embarrass any reader, or themselves, if it found its way into the public domain.

## Legal Requirements

The following rules must be strictly adhered to in accordance with the law:

- It is strictly prohibited to send or forward emails containing libellous, defamatory, offensive, racist or obscene remarks.
- Do not forward a message or attachment without acquiring permission from the sender first (this applies to mail received from a third party being forwarded to another third party. Mail received by a council employee is the property of the council and can therefore be circulated within the council.)
- Do not send unsolicited email messages whereby you would be invading someone's privacy.
- Do not forge or attempt to forge email messages.
- Do not send email messages using another person's email account.
- Do not send a copy of a message or attachment belonging to another user without permission of the originator
- Do not disguise or attempt to disguise your identity when sending email.

## Data Protection Issues

Personal data is subject to the General Data Protection Regulation. Under the terms of the Act, personal data includes any information about a living identifiable individual, including their name, address, phone number, email address and any other information about the individual. If such information is included in an email or an attachment to an email, a user is deemed to be "processing" personal data and must abide by the law. In particular, a user must not collect such information without the individual knowing what the user proposes to do with such information. Such information may not be disclosed or amended except in accordance with the purpose for which the information was collected. The user must ensure the information is accurate and up to date. In addition, the individual has the right to inspect what is held about him or her on the email system or held in separate archives of emails. The individual can demand correction of inaccurate information, can request blocking or erasure of damaging information, and can sue for damage caused by inaccurate information.

The law also imposes rules on storing of personal data. Such data should be kept only for as long as it is needed for the purpose for which it was collected. If a user maintains their own stores of emails, they should ensure that such stores are not maintained for longer than is necessary for the purpose for which they were collected. Emails should be held in such a way that they can be easily identified, reviewed and when necessary, destroyed.

## Best Practice

The Council considers email as an important means of communication and recognizes the importance of proper email content and speedy replies in conveying a professional image and delivering good customer service. Therefore, users should adhere to the following guidelines:

Writing emails:

- Write well-structured emails and use short, descriptive subjects.
- The council's email style is informal. This means that sentences can be short and to the point. You can start your email with 'Hi', or 'Dear', and the name of the person. Messages can be ended with 'Best Regards'.
- Signatures must include your name, job title and council name. Signatures are not necessary for internal e-mails. A disclaimer should be added underneath your signature for external e-mail (see Disclaimer).
- Use the spell checker before you send out an email.
- Do not send unnecessary attachments.
- If you forward emails, state clearly what action you expect the recipient to take.
- Only send emails of which the content could be displayed on a public notice board. If they cannot be displayed publicly in their current state, consider re-phrasing the email, using other means of communication, or protecting information by using a password.
- Only mark emails as important if they really are important.

Replying to emails:

- Emails should be answered within the same time scale afforded to other forms of communication. Freedom of Information requests and Subject Access Requests should be answered within the statutory timeframe.

## Disclaimer

The following disclaimer should be added to each outgoing email:

*"This email and files transmitted are intended solely for whom they are addressed. If you are not the intended recipient of this email please do not send it on to others, open any attachment, or file the email locally. Please inform the sender of the error and then delete the original email."*

*Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Oswestry Rural Parish Council.*

*The Council accepts no liability for any damage caused by any virus transmitted by this email.*

*Oswestry Rural Parish Council manages your data in accordance with the EU General Data Protection Regulations 2018 (2016/679). Your personal information will not be shared with third parties without your consent. Further information is available on our [website](#).”*

## Email Monitoring

There must be no expectation of privacy in anything you create, store, send or receive with a council’s email account. Your emails can be monitored without prior notification if deemed necessary.

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