# Email and Internet Policy

## 1. Introduction

**1.1** Email and the website of King's Somborne Parish Council (the "Council") are regularly used for the management and administration of the Council's business.

## 2. Scope

2.1 This Policy applies to all councillors in respect of their use of any email address or system in which the councillor, whether directly or indirectly, makes the communication as a member of the Council.

2.2 This Policy also applies to councillors in respect of their use of the Council's website when accessing the secure area and in respect of the information which the Council displays thereon.

## 3. Policy Statement

3.1 The Council encourages the effective use of email. Such use must always be lawful and must not compromise the Council's information.

3.2 All users must ensure that their use of email will not adversely affect the Council or its business and not damage the Council's or its employees' reputations or otherwise violate any of the Council's policies.

## 4. Use of email

4.1 Email received by a source external to the Council pertaining to Council business should be promptly acknowledged, but a response to any Council business that is to go outside of the Council should only be made from a Council provided email address, with a copy to the Clerk.

## 5. Use of Council email facilities

5.1 Only the Clerk and councillors approved by the Chairman or Vice- Chairman may have a Council email address

5.2 All users must use email responsibly.

5.3 Use of the Council's email address is not secure or encrypted and care must be exercised when sending potentially sensitive or confidential information.

5.4 All users must accept and agree that communications both to and from the Council via email may be monitored. Users should also be aware that deleted emails may still be accessible from back-up procedures.

## 6. General Guidance

6.1 Email users are advised to be aware of the following:
- Messages sent to groups of people must be relevant to all concerned.
- Messages sent by email may not be seen by the recipient. If the message is urgent, an alternative method of contact should be used.
- The Council cannot be held responsible for damages, losses, expenses or claims that may be suffered by a user of this facility.

6.2 The Council has adopted Test Valley Borough Council's guidance on the use of social media which is shown at Appendix A.

## 7. Business Use

7.1 The Clerk has the sole authority to purchase or acquire goods or services on behalf of the Council including by email.

7.2 Users are informed that email messages have the same status in law as written correspondence and are subject to the same legal implications, for example they may be required to be disclosed in Court.

7.3 Users are required to apply the same high standards to emails as those applied to written correspondence.

7.4 Email inboxes must be checked regularly to ensure all correspondence is assessed in a timely manner. An Out of Office message should be in place if email is not going to be viewed for more 2 business days

7.5 All users must comply with the relevant licence terms and conditions when copying and/or downloading material.

7.6 Users accept that there is no guarantee of delivery of emails unless acceptance of delivery is requested of the recipient.

7.7 All users must adopt the standard signature which is identified at Appendix B and must be included on every email sent using the Council's email address.

7.8 All users must comply with the Data Protection Act 1998 and the Freedom of Information Act 2000 when placing personal data in messages or attachments.

## 8. Inappropriate Use

8.1 The use of the Council's email address is allowed only for communication in respect of the Council's business. The use for personal communication is not allowed.

8.2 Users must not use email to abuse or incite others or to harass or threaten any other person. It is not a defence to claim that an email to which this subsection refers was a response to abuse, harassment or threatening behaviour.

8.3 Recipients of abusive or threatening emails related to the business of the Council must immediately inform the Clerk, Chairman or Vice-Chairman.

8.4 The Council's email address may not be used to send, access, display, download, copy or circulate information containing stories, jokes or anecdotes that contain:
- pornography or sexually orientated images
- gambling
- gaming (playing computer games)

- promotion of unlawful discrimination of any kind
- promotion of racial or religious hatred
- threats or implied threats including the promotion of violence
- fraudulent or illegal material promotion of illegal and/or unlawful acts
- propagation of 'fake' news
- information considered to be offensive, inappropriate or disrespectful to others
- unauthorised and copyrighted material including music.
- Any other activity that will harm the reputation of the Council, its councillors or employees

8.5 Users must not send or disseminate proprietary data or any confidential information belonging to the Council to a third party unless authorised.

8.6 The Council reserves the right to take disciplinary and/or legal action against any person who fails to comply with this policy.

## 9. Accidental Access to Inappropriate Material

9.1 If inappropriate material is accessed accidentally, users must report this immediately to the Chairman or Vice-Chairman. It can then be taken into account as part of the Council's monitoring procedure.

## 10. The Council Website

10.1 The Clerk is responsible for updating the website including 'news' items. Publicity or communication that promotes any matter subject to the business of the Council must only be undertaken in consultation with the Clerk, Chairman or Vice-Chairman.

10.2 Delegated Authority may be given to other councillors expressly for the purposes of updating aspects of the website for which they are responsible.

10.3 The Clerk will provide each member with a username and password which allows the member to access the secure area of the website. They must not be disclosed by the member to any third party and must be retained for the use of the individual member.

10.4 Photographs of all councillors and the Clerk will be displayed on the website, together with a telephone number and (where applicable) an email address for each councillor.

## 11. Monitoring

11.1 Serious breaches of this policy by councillors may result in action under the Councillor's Code of Conduct.

## 12. Responsible Officer

12.1 The Clerk will be responsible for the administration of this policy on behalf of the Council and will report breaches to the Chairman of the Council for advice regarding any further action.

| **Related Documents** |
| --- |
| Freedom of Information Publication Scheme; Information Security Policy; Data Protection Policy; Guidelines for the Retention of Records |

| **Adoption and Review History** | |
| --- | --- |
| Adopted at Parish Council Meeting on | 2016 |
| Reviewed on | April 2025 |
| Next Review Due | April 2029 |

**Appendix A**

**Guidance on use of Social Media by Councillors**

Social media is a collective term used to describe easy ways to create and publish on the internet. People generally use the term to describe how organisations and individuals share content – text, video and pictures – and create conversations on the web.

**It has grown substantially over recent years as a means of communicating and sharing information.** Popular sites include (but are not limited to) LinkedIn, Twitter, TikTok, Instagram, Snapchat, YouTube and Pinterest

The important thing to remember about social media is that it is social. It is about communication.

**1. Maintaining good 'netiquette'**

Councillors, just like anyone, should take due regard of internet security and to ensure that communications remain proper and appropriate, the following practical points may assist:

- *Make your commenting policy clear*
  You will need to take note of the comments that other people make on your site. It may be a fine line to tread, but if you allow offensive or disrespectful comments to stand on your site then it can put off other members of your community, and you may even be called to account under the councillors Code of Conduct. For blogs, the easiest way to handle this is to moderate comments and to state clearly on your site that you're doing so and reasons why comments may be rejected. For Facebook or other social networks, including multi-media sites like YouTube and Flickr where people can post public or semi-public messages to your profile, you will need to regularly check on messages (you can be notified by email) or disable message posting.
- *Allow disagreement*
  Some comments may not accord with your views, but on the other hand deleting the comments of people who disagree with you will backfire. You cannot stop them from posting the same comment elsewhere, then linking back to your site and saying you are gagging those who disagree with you.
- *Think before you publish*
  Words cannot be unspoken and even if you delete a hastily fired off blog post or tweet, it will probably have already been read and will be referenced or duplicated in places on the web beyond your reach.
- *"Following" and "friending"*
  Some of the terminology in social media, like 'following' or 'friending' can imply an intimacy that's not really there. Both terms just mean you have linked your account to someone else so you can share information. Experienced internet users are used to this, but some members of the public may feel uneasy when their councillor begins following them on Twitter before establishing some sort of online relationship. Some Members wait to be followed themselves first.

Do make use of other communication functions that social media allows you. Twitter's 'list' function, for example, can help you to follow local people in a less direct way. Bloggers are, however, almost invariably happy for you to link to them.

You must think carefully about who you request to be 'friends' with or accept 'friend' requests from. Requesting or accepting, for example, an officer of the Council as a 'friend' on a social network site must not compromise the professional and impartial relationship between officers and elected members. Generally, this should be avoided.

- *If you make a mistake:*
  Social media is transparent, the best bloggers admit mistakes rather than try to cover them up (which is not possible online). Amending your text and acknowledging your mistake – perhaps by putting a line through the offending words and inserting a correction or providing an update section at the bottom of a blog post - shows you are not pretending it never happened, and it's much better than just deleting it when dealing with online misfires.
- *Avoid the difficult users*
  As you begin to use social media, you'll find some argumentative characters out there. Don't get bogged down. You don't have to respond to everything. Ignore if necessary.

**2. Legal Considerations**

In the main, councillors have the same legal duties online as anyone else (see below), but failures to comply with the law may have more serious consequences. There are some additional duties around using a councillor's website for electoral campaigning and extra care needs to be taken when writing on planning, licensing and other quasi-judicial matters.

a) Libel
If you publish an untrue statement about a person which is damaging to their reputation they may take a libel action against you. This will also apply if you allow someone else to publish something libellous on your website if you know about it and don't take prompt action to remove it. A successful libel claim against you will result in an award of damages against you.

b) Copyright
Placing images or text on your site from a copyrighted source (for example extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission in advance. Breach of copyright may result in an award of damages against you.

c) Data Protection
Avoid publishing the personal data of individuals unless you have their express written permission.

d) Bias and pre-determination
If you are involved in determining planning or licensing applications or other quasi-judicial decisions, avoid publishing anything on your blog that might suggest you don't have an open mind about a matter you may be involved in determining. If not, the decision runs the risk of being invalidated.

e) Obscene material
It goes without saying that you should avoid publishing anything in your blog that people would consider obscene. Publication of obscene material is a criminal offence.

f) Bullying and Discriminatory comments
Behaving in a discriminatory, bullying or harassing way towards any individual including making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age via social media by posting images or links or comments could, in certain circumstances, result in criminal sanction.

g) Electoral periods
The Electoral Commission requires that candidates provide a return of expenditure on any form of advertising or campaign literature and that includes web advertising. There are additional requirements, such as imprint standards for materials, which can be downloaded from a website. Full guidance for candidates can be found at www.electoralcommission.org.uk.

While the above list is not exhaustive, it does highlight some of the more obvious issues. Almost all of these pitfalls can be avoided if your online content is objective, balanced, informative and accurate.

**3. The Councillors' Code of Conduct**

It is worth pointing out that councillors can have 'blurred identities' when they have a social media account where they comment both as a councillor and as a private individual.

For example, you may have a Facebook account where you've posted about a great night out (in your personal/private capacity) and another time explained the Council's position on pothole repair (in your councillor capacity). It may be clear in your mind when you are posting in a private capacity or as a councillor, but it could be less clear to others.

Such blurred identities might, for example, have implications where your views are taken as those of the Council or political party, rather than your personal opinion. It is important to be clear in your social media accounts/profiles, then you can be confident as to what you can and cannot say while you are representing the Council or a political party.

How you use your online identity will also determine how online content will be treated in respect of the Councillors' Code of Conduct. Councillors are expected to communicate politically. As explained above, there is a difference between communicating on behalf of the Council, for example blogging as an elected councillor or as a private citizen, and the former will be held to a higher standard than the latter.

The key to whether your online activity is subject to the Councillors' Code of Conduct is whether you are giving the impression that you are acting as a councillor, and that is the case whether you are in fact acting in an official capacity or simply giving the impression that you are doing so.

One way to separate your personal/private business from your activities as a councillor is to have two separate accounts: one for personal/private business and the other for councillor activities. The latter account would have the title of Councillor in the profile name to clearly identify the role you are undertaking when using that account. This separation of accounts will assist in managing lists of friends and the content of any tweets/post etc.

Aspects of the Councillors' Code of Conduct will apply to your online activity in the same way it does to other written or verbal communication you undertake. Councillors should comply with the general principles of the Code in what they publish and what they allow others to publish.

You will need to be particularly aware of the following sections of the Code:

- Treating others with respect. Avoid personal attacks and any disrespectful, rude or offensive comments.
- Refraining from publishing anything you have received in confidence.
- Ensuring you do not bring the Council or your councillor role into disrepute.

**4. Elections – Purdah**

The same guidance applies to your use of social media during the "purdah" period before elections. Purdah does not affect a councillor's ability to use social media in the normal responsible way **provided you are not using Council resources to do so** where you wish to perhaps promote an election candidate or a particular political party. The use of Council hosted member blogs while not currently supported by the council would tend, in any event, to be suspended during purdah. It is worth remembering, of course, that there can be heightened tension and debate at election time and comments can be made in the heat of the moment which, on reflection, would not have been said or made in the normal course of events and which could lead to allegations of councillor misconduct

**Appendix B**

**Standard format for the signature on all Council emails**

*Councillors are able to include further contact details above the name of the Parish Council.*

REQUIRED TEXT:

Cllr Name Surname
King’s Somborne Parish Council
www.kingssomborne-pc.org

Disclaimer

Information contained in this e-mail and any attachment is intended solely for the addressee(s) only and may be confidential and/or legally privileged. Should you not be the intended recipient, any dissemination, distribution, copying or the taking of any action in reliance of this email, or use of this communication without the prior permission of the addressee is strictly prohibited. If you receive this message in error, please immediately and permanently delete it from your system and notify the sender by return e-mail. Whilst every effort has been made to ensure this email is free of viruses which may affect any IT system, it is nevertheless the responsibility of the recipient to ensure that any e-mails or attachments are virus free, as the sender accepts no responsibility. Any views expressed by the author may not necessarily reflect those of King's Somborne Parish Council.