

EAST HERTS COUNCIL

STANDARDS COMMITTEE- 14 MARCH 2012

REPORT BY THE DIRECTOR OF NEIGHBOURHOOD SERVICES
AND MONITORING OFFICER

IT PROTOCOL FOR MEMBERS

WARDS AFFECTED: ALL

Purpose/Summary of Report

RECOMMENDATION FOR COUNCIL :

1.0 **Background**

1.1 The IT Protocol for Members was developed some time ago. It is due to be reviewed.

2.0 **Report**

2.1 **Essential Reference Paper B** contains the current IT Protocol. The proposed IT Protocol for Members is contained in **Essential Reference Paper C**. The aim has been to simplify the protocol and exclude information which is not essential. The new protocol concentrates on the areas which are important for Members.

2.2 The Protocol concentrates on the important areas of ownership of the equipment and insurance. The Protocol deals with use of the equipment including passwords, data protection and freedom of information issues. Member training on data protection and freedom of information will be provided.

3.0 **Implications/Consultations**

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None.

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ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	Fit for purpose, services fit for you <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i> Leading the way, working together <i>Deliver responsible community leadership that engages with our partners and the public.</i>
Consultation:	Chairman of the Standards Committee
Legal:	The protocol has been drafted to take account of Members' legal responsibilities.
Financial:	None
Human Resource:	None
Risk Management:	The IT Protocol is intended to manage risks for the Council and Members in respect of the use of IT provided by the Council for the use of Members.

Protocol on the Use of IT by Members

May 2011

Each Councillor is required to sign and must comply with the terms of this Protocol as a condition of using the Council's computers at home or in the office. An electronic copy of the Protocol will be installed on the desktop of all Councillor laptops.

1 Introduction

East Herts Council offers to provide all Councillors with computers to facilitate the performance of their duties as Councillors.

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.

For definition purposes "Computer" means the computer provided by the Council for use at the Councillor's home or office, together with any hardware, software, services or consumables provided. For those Councillors who use equipment that is part of the East Herts network they are required to sign and adhere to another protocol common to all internal Council users.

2 Security for the Computer

- (a) The Councillor accepts personal responsibility for the safekeeping and proper use of the computer.
- (b) The Councillor shall make reasonable arrangements for the safe-keeping of the computer.
- (c) Access to the Council's information systems via the computer is subject to password security. The Councillor shall ensure that passwords are kept obscure and secret. No-one other than the Councillor should be given access to those Council information systems and they shall not reveal their password to any other person.
- (d) The Council's insurance policies will cover Councillors' computers for the usual "perils" of fire, flood, theft and accidental damage. Please see paragraph 4d for advice on other liabilities.
- (e) Councillors are advised to notify their own building and contents insurance company that they will be using Council equipment for work purposes at their home.

3 Use for Council Business

- (a) 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 is inconsistent with Council duties and activities.
- (b) Accordingly, the Councillor must not:
 - (i) misuse the computer in such a manner as to cause it to cease to function
 - (ii) install or use any equipment or software without prior approval of the Council's PC Support team.
- (c) The Councillor must:
 - (i) Ensure that the computer is maintained in a working condition;
 - (ii) Report any faults promptly to the Council's IT Help Desk;
 - (iii) Provide prompt access to Council officers to service, maintain and repair the computer.
- (d) The Council provides the computer together with ancillary equipment, consumables and materials required for their functions as a Councillor. Accordingly, the Council may decline to provide further equipment, consumables or materials where the use of these appears to be for private (non-Council) use.

4 Use of Facilities

- (a) The Councillor should use the computer only for purposes for which it is provided and should take reasonable measures to ensure its use is confined to approved purposes;
- (b) The Council is prohibited from publishing (in either print or electronic format) 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 not on behalf of the Council, and that no costs have been incurred by the Council as a consequence of its publication;
- (c) The Council has obtained the necessary software licenses for the use of the computer by the Councillor in an individual capacity, but not for any non-Council commercial business use of the computer.
- (d) Should any Councillor fail to abide by this protocol (e.g. by downloading unapproved software or using the computer in a commercial business capacity) the Council accepts no responsibility for any loss, costs or liability which the Councillor or any other person may suffer as a result. In most cases the Council will seek to recover the equipment.

5 Bringing the Council into Disrepute

- (a) The Councillor shall not use the computer, or permit its use, in any manner which may bring the Council or the Councillor into disrepute.
- (b) Specifically, where the Council provides websites for Councillors, the Council retains editorial control of such websites and the right to remove or require the removal of any material which is unlawful or likely to negatively affect the reputation of the council.
- (c) Access to sites containing sexual or gratuitous violence or any other subversive material through use of the Council's equipment is forbidden.

6 Inspection and Audit

The Council reserves the right to inspect the computer at any reasonable time and Councillors may be required to give officers access at any convenient time for this purpose. Inspection and audit may also be undertaken remotely and without notice to the Councillor in exceptional circumstances. Councillors are advised that the computer includes a history file which records its use, and particularly any websites which it has accessed.

7 Costs

- (a) The Council will meet the cost of providing the computer.
- (b) Each Councillor is responsible for his/her own electricity bill.

8 Return and Recovery of the Computer

- (a) The computer remains the property of the Council at all times.
- (b) The Council reserves the right to require the Councillor to return the computer and the right to recover the computer from the Councillor where there is evidence of serious misuse.
- (c) The Councillor is required to return the computer to the Council upon ceasing to be a Councillor.

9 Confidentiality

- (a) 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 s/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.

- (b) Some of this information will 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 the computer.

10 Restriction of Use

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:

- (a) remove or disable any software or equipment;
- (b) remove any information stored on the computer.
- (c) Recover the facility in the case of proven serious misuse.

Protocol for the Loan of IT Facilities to, and their Use by, Members

A copy of this protocol is on the desktop of each laptop on loan.

- 1 In this protocol, *IT facilities* means computers and pre-loaded software, together with any ancillary equipment, e.g., power-supplies and cables, issued on loan to members and signed for individually in the register maintained by the Council's IT Support Team. **The member's signature indicates both agreement as to which facilities are on loan to him/her and acceptance of the terms of this protocol.** All facilities remain the Council's property and must be returned on demand and immediately membership ceases. If need be, the Council may take steps to repossess facilities.
- 2 A Member is responsible for arranging any necessary provision of an internet connection and for payment of all charges made by his/her chosen Internet service provider. The IT Support Team will advise how the IT facilities provided can share a broadband connection, printer(s) or files or other computing facilities available to the member.
- 3 The Member is personally responsible for the safe-keeping of IT facilities while they are on loan to him/her. The Council's insurance policies will, however, normally cover the facilities against the risks of fire, flood, theft and accidental damage. Any such occurrences or any other damage, faults or failures, however arising, must be reported without delay to the IT Support Team and, if necessary, e.g., for the assessment and repair of damage, the equipment returned. Although the pre-loaded software, if damaged, can be re-loaded by the Support Team, the Member is personally responsible for backing up any stored data-files whose loss would be significant. The Council will not pay for data to be retrieved from (e.g.) damaged or failed hard drives.
- 4 The Member may not use, or permit others to use, the equipment for any purpose unrelated to his/her Council duties and activities as a member. The Council's software licences may not extend to such purposes.
- 5 Without prior approval of the Council's IT Support Team, the Member may not install any software (other than updates to the operating system and other pre-loaded programs), or disable or change security-settings, including those of internet security systems, or connect any items of ancillary hardware other than those provided.
- 6 The Member must not use the facilities, or permit their use by others, in any manner or for any purpose that is unlawful and/or which might bring the Council or the Member into disrepute. By law, the Council may not publish any material of a party-

political nature, and the IT facilities provided must not be used for the preparation and/or dissemination of any such material.

- 7 The Council may require any of the loaned facilities to be made available, on reasonable notice, for inspection and for maintenance. Access may on occasion be undertaken remotely and without notice to the Member. The Council may remove or disable any software or equipment or delete any inappropriate information stored on the computer.
- 8 The Member must keep secret any password(s) issued to him/her for the purpose of accessing restricted information and is accountable for the continued security of any such information if stored on the computer or otherwise retained by the Member. The unauthorised and inappropriate possession of personal information relating to identifiable individuals and the processing and/or disclosure of such information are prohibited under the Data Protection Act and the Member is responsible for compliance.
- 9 Any member with special responsibilities (e.g., as a member of the executive or as a committee chairmen) will need to consider whether and when material held on his/her computer has to be retained and preserved – and possibly made available under the Freedom of Information Act – as part of documentation of council business. A member's accountability under this head will be discharged by ensuring that any such material is duplicated in the Council's records.
- 10 The Council disclaims responsibility in any legal action, or for any claim, loss, costs or liability incurred by the Member (or any other person), consequential upon any failure to abide by the terms of this protocol.