

MARDEN PARISH COUNCIL EMAIL POLICY

Adopted on 12 August 2019

Councillors are offered an email account 'yourname@mardenherefordshire-pc.gov.uk' specifically for their work as Parish Councillors. The Council believes this is the most efficient and effective way of working together and keeping in touch with the community but before Councillors can make use of this facility, they should be aware of:

1. This email account must not be used to make decisions or influence decisions that should be made at a meeting of the Council. Standing Orders and the Code of Conduct are clear on the rules of debate and Councillors should check them if they are in any doubt.
2. The law does not allow Councillors to act independently and every Councillor should make sure that they do not imply that the content of their emails (whether .gov.uk or private email) represents the opinion or policy of the Council as a whole. As an individual, a Councillor can think, say and write what he/she likes, but as a Councillor only the view of the whole Council can be given, whether the Councillor agrees with the decision or not.
3. When a Councillor uses the Parish Council account to send an email, the recipient may be excused for thinking it is an 'official' communication sent on behalf of the Council. All Councillors should be particularly careful if they are agreeing to do something that may be seen as a commitment by the Parish Council, so Councillors must put the Disclaimer at the bottom **of every email**, whether a Parish Council email or a private email address used for Parish Council business.
4. Neither private nor Parish Council emails are confidential; every email is stored in the archive and is available to the public through a Freedom of Information request. Although the emails will be cleared of any personal data before they are released, care should be taken to avoid unnecessarily including personal information in emails.
5. No disclaimer will help if a Councillor sends an email that contains illegal, offensive, obscene, racist, abusive material or libellous, defamatory or discriminative material which may bring the Council into disrepute.
6. The only person who can send an official email is the Clerk who writes on behalf of the Councillors to give the Council's views. At the request of the Clerk and with the agreement of the Chair/Vice Chair, in exceptional situations it may be appropriate for a Parish Councillor to issue correspondence in his/her own name. Such correspondence must make it clear that it has been written in an official capacity and has been authorised.

The terms and conditions for the mardenherefordshire-pc.gov.uk domain and use of private email addresses are given below. By using the Parish Council's email address or a private email address for Parish Council business, a Councillor is agreeing he/she understands them and agrees to abide by them.

The Disclaimer wording and a list of Good Practices for the use of email are also given. These are designed to help keep the email system healthy and avoid potential misunderstandings.

Terms and conditions of use

- a. Whereas Marden Parish Council (the Council) is the licensee of the domain *mardenherefordshire-pc.gov.uk* (the Domain) it authorises its Councillors and Officers to hold and use email accounts within the Domain. The account holders agree that the Council is a legal entity in its own right and separate from any of its Councillors.
- b. Account holders within the Domain consent to receive Summons and Notices of Meetings by electronic means. If a Councillor uses a private email address for Parish Council business the same consent is implied.
- c. The number of email accounts may be amended from time to time as required.
- d. The names of any email accounts including any aliases shall have no meaning or context beyond that of being a device to identify and differentiate the account holders within the Council's Domain.
- e. The Council shall be held harmless from any claims made or views expressed or any other content within an email distributed from the domain by its Councillors through the inclusion of a footnote Disclaimer, the wording of which is included here. The Disclaimer should be appended to all outgoing emails, whether from a Parish Council account or from a personal account used for Parish Council business.
- f. A Councillor should not include the words "Marden Parish Council" in their signature without their Parish Councillor title, as this may imply to the reader that the email has been authored by the Council itself.
- g. A Councillor may not use the words "on behalf of" or "for" in front of the words "Marden Parish Council" or otherwise give any impression that they are representing the Council as part of their email signature without the express permission of the Clerk.
- h. An email may be signed by the Council itself by using only the words "Marden Parish Council". Any such email must be both sent from the Clerk's account *parish.clerk@mardenherefordshire-pc.gov.uk* and be authored by the Clerk.
- i. An email may be signed by the Clerk by using his/her name, title and the words "Marden Parish Council". An email authored by the Clerk shall be the same as if it had been authored by the Council itself.
- j. All outgoing emails from the domain regardless of the author shall observe relevant data protection legislation and, where there are multiple private addressees who have no association, such emails shall be distributed by blind copy only.
- k. Councillors may use the Council's email accounts for council business only.
- l. Councillors may not delete emails from their Parish Council email accounts except when instructed by the Clerk as required by Marden Parish Council's Personal Data Management and Audit Policy (July 2019).
- m. On a quarterly basis the Clerk will back up all emails and then inform councillors they may if they wish, and taking into consideration GDPR compliance, delete emails from date X to date XX.

Disclaimer wording

Disclaimer: This email may contain privileged and/or confidential information. If you receive this in error, please notify the sender immediately and do not use or disclose its content to any other party. Any views or opinions expressed are those of the author and may not represent those of Marden Parish Council. Marden Parish Council is committed to safeguarding your personal data and complying with the rights of individuals under the General Data Protection Regulation (GDPR). The Marden PC Privacy Notice and other GDPR policies and documents can be accessed on the website on the Data Protection - GDPR page under the Parish Council tab or follow this link <https://www.mardenherefordshire-pc.gov.uk/parish-council/data-protection-gdpr/>

Good practices

- a. Before sending an email message, consider if it may be more effective to communicate face to face or by telephone. It is easy to misconstrue the contents of an email which can lead to confusion and poor communication, whilst a quick telephone conversation can prevent extensive email “ping-pong” conversations clarifying an email’s meaning.
- b. Users should not send or forward any chain emails (e.g. jokes and virus warnings) from their Council email account as both of these can contain malware. In addition, almost all virus warnings and police warnings circulating via email are actually hoaxes designed to clog up email systems by scaring people into forwarding them across the internet.
- c. Remember that the authenticity of any email received cannot be guaranteed, especially with the prevalence of email “spoofing” (emails pretending to come from a source gathered through dubious means). In particular, users should always avoid opening any attachments to emails that are unexpected.
- d. When sending an email, users should only “cc” and “bcc” people who really need to be informed. Users should take care when using the “Reply to All” function as this may be inappropriate.
- e. Email etiquette construes capitalisation as shouting, so it’s best to avoid inappropriate use of upper case in messages.

Review date: by September 2020

Signed:

David Bennett, Chair Marden Parish Council

Date: