

Email Policy

1 Introduction

- 1.1 This Email Policy has been developed in response to the acknowledged need for guidelines describing the acceptable use of the University's email and related services and facilities.
- 1.2 The Policy is maintained and regulated by the Information Services.
- 1.3 The Policy is cross-referenced to a number of other University policies and regulations, including Rules for the Conduct of Employees, Harassment Policy, Disciplinary Procedures and General Regulations for Students. Copies of these policy statements are obtainable via Personnel Services, the Student Office and Information Services, as appropriate.
- 1.4 The Policy will be distributed to users of the email and related services and facilities. There will also be periodic re-issue of the Policy, supported by sign-up acceptance by users of the facilities.
- 1.5 The Policy will be reviewed and if necessary amended from time-to-time, with particular regard to the expected developments in the operational use of the system, and by reference to the development of recognised best practice.

2 Purpose of the Email Policy

- 2.1 The Email Policy provides guidance about acceptable use, for the purpose of sending or receiving email messages and attachments, of any IT facilities, including hardware, software and networks, provided by Staffordshire University. The Policy also describes the standards that users are expected to observe when using these facilities for email, and ensures that users are aware of the legal consequences attached to inappropriate use of the facilities.
- 2.2 The Policy establishes a framework within which users of these email facilities can apply self-regulation to their use of the facilities.
- 2.3 The Policy is designed to advise users that their usage of facilities for email will be monitored and, in some cases, recorded. The Policy is also linked to the University's Disciplinary Procedures for students and staff, and usage of email facilities in breach of the Policy may lead to appropriate disciplinary action being taken.
- 2.4 The Policy also specifies the actions that the University will take in the investigation of complaints received from both internal and external sources, about any unacceptable use of email that involves University IT facilities.

3 Policy Statement

3.1 Scope of the Policy

This Email Policy applies to the use, for the purpose of sending or receiving email messages and attachments, of any IT facilities, including hardware, software and networks, provided by Staffordshire University.

The Policy is applicable to members of staff, students and other authorised users of University IT facilities.

3.2 Appropriate and Proper Use

Staffordshire University supports the appropriate and proper use of the Internet, email, and related services and facilities that the University provides for its students, staff and other authorised users.

3.3 Regulatory Framework

Associated with the provision of these services and facilities, Staffordshire University takes seriously its responsibility to provide an appropriate regulatory framework, including specific standards and guidance for the appropriate use of these University services and facilities. The Email Policy constitutes a component part of this regulatory framework.

Use of all IT facilities provided by Staffordshire University is subject to the relevant Policies and Regulations, in particular the University IT Regulations and the University Internet Policy Statement.

3.4 Acceptance of Policies and Regulations

It is a condition of use of IT and email facilities provided by Staffordshire University, by a student, member of staff or other authorised person, that the user agrees to be bound by the relevant University Policies and Regulations.

3.5 Monitoring Arrangements

Staffordshire University will maintain appropriate monitoring arrangements in relation to all Internet, email and related services and facilities that it provides, and the University will apply these monitoring arrangements to all users.

These arrangements may include checking the contents of, and in some instances recording, email messages for the purpose of:

- establishing the existence of facts relevant to the business;
- ascertaining or demonstrating standards which ought to be achieved by those using the facilities;
- preventing or detecting crime;
- investigating or detecting unauthorised use of email facilities;
- ensuring effective operation of email facilities; or
- determining if communications are relevant to the business - for example where an employee is off sick or on holiday.

The University may, at its discretion, apply automatic message monitoring, filtering and rejection systems as appropriate, and deny transmission of messages with content that is unacceptable in the terms of this Policy.

These monitoring arrangements will operate on a continual and continuing basis, with the express aim of monitoring compliance with the provisions of the University's Email Policy and IT Regulations and for the purposes outlined above as permitted by The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000.

3.6 Disclaimers

The University may arrange for an appropriate disclaimer to be appended to all email messages that are sent to external addresses from the University, in order to provide necessary legal protection.

3.7 Action in the Event of a Breach of the Standards of Acceptable Use

In circumstances where there is assessed to be a breach of the standards of acceptable use, as described in section 4 of this Policy, the University will, as a first action, act promptly to prevent continuance or repetition of the breach, for example to withdraw any unacceptable materials. This action will be taken in accordance with the normal managerial arrangements, and will typically involve liaison between the appropriate member(s) of the University Management Team and the University Information Services department.

Subsequent action will be as described below.

Indications of non-compliance with the provisions of the Email Policy will be investigated, as appropriate, in accordance with the provisions of the University's Disciplinary Procedures, as applicable to staff and students.

Subject to the findings of any such investigation, non-compliance with the provisions of the Email Policy will lead to appropriate disciplinary action, which could include dismissal on the grounds of gross misconduct. Furthermore, publication of some materials may not only amount to a disciplinary offence, but also a criminal offence, in which case the issue will be reported to the police for them to take appropriate action.

4 Standards of acceptable use

4.1 Appropriate Use of the University Provided Services and Facilities

The main purpose for the provision by the University of IT facilities for email is for use in connection with the teaching, learning, research, and approved business activities of the University.

IT facilities provided by the University for email should not be used:

- i. for personal use, other than as specified in paragraph 4.4 below

- ii. for the transmission of unsolicited commercial or advertising material, chain letters, press releases, or other junk mail of any kind, to other users, user organisations, or organisations connected to other networks, other than where that material is embedded within, or is otherwise part of, a service to which the member of the user organisation has chosen to subscribe
- iii. for the unauthorised transmission to a third party of confidential material concerning the activities of Staffordshire University
- iv. for the transmission of material such that this infringes the copyright of another person, including intellectual property rights
- v. for the deliberate unauthorised access to services and facilities accessible via JANET
- vi. for the unauthorised provision of access to University services and facilities by third parties
- vii. for activities that unreasonably waste staff effort or networked resources, or activities that unreasonably serve to deny service to other users
- viii. for activities that corrupt or destroy other users' data
- ix. for activities that disrupt the work of other users

4.2 General Standards of Use

IT facilities provided by the University for email should not be used:

- i. for the creation or transmission (other than for properly supervised and lawful research purposes) of any offensive, obscene or indecent images, data, or other material, or any data capable of being resolved into obscene or indecent images or material
- ii. for the creation or transmission of material which is designed or likely to cause annoyance, inconvenience or needless anxiety
- iii. for the creation or transmission of material that is abusive or threatening to others, or serves to harass or bully others
- iv. for the creation or transmission of material that either discriminates or encourages discrimination on racial or ethnic grounds, or on grounds of gender, sexual orientation, marital status, disability, political or religious beliefs. Staffordshire University is committed to fostering a learning and working environment free of discrimination where everyone is treated with dignity and respect
- v. for the creation or transmission of defamatory material
- vi. for the creation or transmission of material that includes false claims of a deceptive nature

- vii. for so-called 'flaming' i.e. the use of impolite terms or language, including offensive or condescending terms
- viii. for activities that violate the privacy of other users
- ix. for criticising individuals, including copy distribution to other individuals
- x. for publishing to others the text of messages written on a one-to-one basis, without the prior express consent of the author
- xi. for the creation or transmission of anonymous messages, i.e. without clear identification of the sender
- xii. for the creation or transmission of material which brings the University into disrepute

University Management will exercise its discretion in judging reasonable bounds within the above standards for acceptability of material transmitted by email.

The University regards the declaration of standards, as described above, to be particularly important. They reflect the values and beliefs of Staffordshire University.

4.3 Preventing the Spread of Malicious Software (Viruses)

Users of University IT facilities must take all reasonable steps to prevent the receipt and transmission by email of malicious software e.g. computer viruses.

In particular, users

- must not transmit by email any file attachments which they know to be infected with a virus
- must ensure that an effective anti-virus system is operating on any computer which they use to access University IT facilities
- must not open email file attachments received from unsolicited or untrusted sources

4.4 Personal Use

The main purpose for the provision by the University of IT facilities for email is for use in connection with teaching, learning, research, and approved business activities of the University.

The University permits the use of its IT facilities for email by students, staff and other authorised users for personal use, subject to the following limitations:

- i. a level of use that is reasonable and not detrimental to the main purpose for which the facilities are provided
- ii. priority must be given to use of resources for the main purpose for which they are provided
- iii. personal use must not be of a commercial or profit-making nature, or for any other form of personal financial gain

- iv. personal use must not be of a nature that competes with the University in business
- v. personal use must not be connected with any use or application that conflicts with an employee's obligations to Staffordshire University as their employer
- vi. personal use must not be connected to any purpose or application that conflicts with the University's rules, regulations, policies and procedures
- vii. personal use must comply with the University's policies and regulations, in particular the Email Policy

4.5 Cyber Bullying

Students and staff may face disciplinary action if they post damaging or offensive messages attacking other members of staff or students, on any social networking sites, such as ratemyprofessors, YouTube, myspace or facebook.

Should a complaint be made to the University, the University will immediately suspend and remove privileges of the staff or student account until the complaint is heard.

In relation to the personal use of University IT facilities for email, if users are in any doubt about what constitutes acceptable and appropriate use, they should seek the advice and guidance, in the case of members of staff, of their Manager, and in the case of students, of their Course Tutor.

5 Legal Consequences of Misuse of Email Facilities

In a growing number of cases involving the civil or criminal law, email messages (deleted or otherwise) are produced as evidence in a permanent written form.

There are a number of areas of law which apply to use of email and which could involve liability of users or the University. These include the following.

- i. Intellectual property. Anyone who uses email to send or receive any materials that infringe the intellectual property rights of a third party may be liable to that third party if such use is not authorised by them.
- ii. Obscenity: a criminal offence is committed if a person publishes any material which is pornographic, excessively violent or which comes under the provisions of the Obscene Publications Act 1959. Similarly the Protection of Children Act 1978 makes it an offence to publish or distribute obscene material of a child.
- iii. Defamation: as a form of publication, the Internet is within the scope of legislation relating to libel where a statement or opinion is published which adversely affects the reputation of a person, group of people or an organisation. Legal responsibility for the transmission of any defamatory, obscene or rude remarks which discredit an identifiable individual or organisation will rest mainly with the sender of the email and may lead to substantial financial penalties being imposed.

- iv. Data Protection: processing information (including photographs) which contains personal data about individuals, requires the express written consent of those individuals. Any use of personal data beyond that registered with the Data Protection Commissioner will be illegal.
- v. Discrimination: any material disseminated which is discriminatory or encourages discrimination may be unlawful under the Sex Discrimination Act 1975, the Race Relations Act 1976 or the Disability Discrimination Act 1995 where it involves discrimination on the grounds of sex, race or disability.

The above is only designed to be a brief outline of some of the legal consequences of misuse of email facilities.

6 Advice on Acceptable and Appropriate Use of Email Facilities

It should be remembered that use of University IT facilities for email in an unacceptable and inappropriate manner and breach of this Policy may be treated as a disciplinary offence. If users are in any doubt about what constitutes acceptable and appropriate use of email facilities, they should seek the advice and guidance, in the case of members of staff, of their Manager, and in the case of students, of their Course Tutor.

7 Investigation of Complaints

The University will investigate complaints received from both internal and external sources, about any unacceptable use of email that involves University IT facilities.

The investigation of facts of a technical nature, e.g. to determine the source of an offending email message, will be undertaken by Information Services in conjunction with other departments as appropriate.

Where there is evidence of a criminal offence, the issue will be reported to the police for them to take appropriate action. The University will co-operate with the police and other appropriate external agencies in the investigation of alleged offences.

In the event that the investigation of the complaint establishes that there has been a breach of the standards of acceptable use, then action will be taken as described in Section 3.8 of this Policy.

8 Related Documentation

Further useful information may be found in the following documents, of which paper copies are available from the Information Services administrative office.

- Staffordshire University IT Regulations
- Staffordshire University Internet Policy Statement
- JANET Acceptable Use Policy

- Guide to Legislation Relevant to Computer Use

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