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**Report of the Chief Democratic Services Officer**

**Standards Committee**

**Date: 21<sup>st</sup> December 2006**

**Subject: Members' ICT Support**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**Executive Summary**

1. To facilitate the urgent introduction of a corporate ICT upgrade programme it has been necessary to develop the Council's administrative arrangements in relation to the use by Members of Council supplied ICT equipment. This has included a consideration of the guidelines which should apply to Members in this regard.
2. This report seeks the views of the Standards Committee on these guidelines with regard to their implications for Member Conduct matters.
3. The Standards Committee is asked to comment on these guidelines, consider whether it wishes to adopt these guidelines as a local code and offer any views it may have regarding the Council's arrangements for charging Members for incidental private use of their ICT facilities.

## **1.0 Purpose Of The Report**

- 1.1 This report seeks the views of the Standards Committee on the implications for Member conduct matters arising from the introduction of guidelines for the use by Members of their Council supplied ICT facilities.

## **2.0 Background Information**

- 2.1 On the 25<sup>th</sup> November 2005, Standards Committee received a report regarding the arrangements which the Council applies in relation to the use by Members of Council supplied ICT facilities.

- 2.2 In summary it was reported that:

2.2.1 The Council considered it essential that all Members should be encouraged to use the Council's ICT systems in order to promote efficient and effective working. Indeed, the Council increasingly relies on ICT for the purposes of exchanging information with Members in a proper and timely manner.

2.2.2 In pursuit of the above, all Members are encouraged to have a laptop or home based personal computer provided by the Council.

2.2.3 The Council has allowed Members secondary "personal use" of these facilities, in recognition of which it charges £50 per annum fee for any Members wishing to make such use of them.

2.2.4 Problems can arise from the fact that there is limited guidance regarding what is considered to be permissible use and, in particular, what is considered to be acceptable personal use.

2.2.5 The Standards Committee resolved that further consultations with Members take place and that a future report be brought back.

- 2.3 Since that time, discussions have been taking place with Members with a view to developing common guidelines. Initially, there was no requirement to complete this exercise within any particular timescale but, latterly, it became apparent that the absence of agreed guidelines was impeding the roll-out of the ICT upgrade programme for Members. This programme has been implemented across all officers but, in the absence of clear guidelines, could not be introduced to Members. As a consequence, the Council was in danger of delaying significant benefits, key amongst which was deferring potential savings of £100k pa, and of bringing into play escalating risks of hardware failure. Examples of some of the benefits and risks which form the rationale for the ICT Upgrade programme are as follows:

2.3.1 To provide Councillors with increased functionality by providing a platform which allows the use of new technologies to more effectively support Members in conducting their Council business;

2.3.2 To remove the old technology which underpins the current Member ICT infrastructure which is expensive to support and maintain and is increasingly at risk of irrecoverable failure;

2.3.3 To avoid additional costs of renewing leases on parts of the old infrastructure;

2.3.4 To provide better and more cost effective support arrangements

2.4 It therefore became imperative to progress this as a matter of urgency, as detailed in a report to the Member Management Committee on 31<sup>st</sup> October 2006, a copy of which is appended to this report.

2.5 The issues raised, as identified within this report, include implications for Code of Conduct matters which fall within the remit of the Standards Committee. However, more broadly, there are significant implications for operational practice and resources in relation to Council's ICT systems.

2.6 In light of this, and in view of the urgent requirement to upgrade the Council's ICT systems, a delegated decision has been taken to implement the guidelines and commence with the Members ICT Upgrade programme as detailed in the report to the Member Management Committee but subject to the personal usage elements being reviewed in the light of consideration by the Standards Committee as to their implications for Member Conduct matters.

### **3.0 Main Issues**

3.1 The provision and development of ICT systems for Members continues to be an important aspect of the Council's operation and it remains committed to encouraging Members to use such facilities for the purposes of conducting Council business.

3.2 It is considered vitally important to establish clear rules as to Members' use of such facilities and, in particular, in relation to any non-council use which may be permitted.

3.3 Such rules will have implications for Member conduct matters but will also affect the way in which the Council's ICT systems can be developed and supported. In particular, the development of such systems is contingent upon parameters being established regarding who may access such systems and what software and hardware may be incorporated within them.

3.4 Some Members have no use for ICT systems other than for the purposes of conducting Council business. However, other Members have varying needs for personal computing facilities and it is recognised that this can provide logistical difficulties for example in relation to running two parallel sets of equipment within Member households.

3.5 There are no objections in principle to Council supplied ICT systems being used for secondary personal use providing that certain criteria are complied with. In detail,

3.5.1 Any such personal use must be contained within what may be deemed to be lawful e.g. in relation to the use of Council resources and in relation to any software licensing conditions.

3.5.2 There must be no additional marginal costs to the Council arising from such personal use.

- 3.5.3 Although the approach formulated is on the basis of there being no additional costs to the Council, it is considered appropriate to make a reasonable charge in respect of those Members wishing to make personal use of their Council supplied ICT facilities.
- 3.5.4 Any such arrangements must be constructed in such a way as to be perceived as being appropriate and ethical.
- 3.6 Any Member who has a requirement for personal computing facilities which cannot be incorporated within the above criteria would have to make separate and personal arrangements for obtaining such facilities as they wish.
- 3.7 The Standards Committee is invited to offer such guidance and advice which it considers appropriate in relation to the approach being adopted. In particular, the Committee's attention is drawn to the appendices in the attached report which are entitled "guidelines for Members using Council ICT equipment" and "Member's e-mail code of practice" and is asked whether it would wish to include these within Part 5 of the Council's Constitution.
- 3.8 On a point of detail, the Standards Committee is asked to consider the level of charge which may be considered appropriate to levy in respect of Members opting to make personal use of their Council supplied ICT facilities. It is a fundamental requirement of the approach being adopted that no additional costs should be incurred by the Council for any such personal use. However, it is recognised that there is the potential for negative perceptions to arise from Members being seen to receive "free" facilities arising from their Council Membership. Primarily for this reason, therefore, it is considered appropriate to continue the practice of making a charge for any Member who opts to make personal use of their Council ICT supplied facilities.
- 3.9 Currently this figure is set at £50 per annum. This is embodied within the Members' Allowances Scheme and has remained unchanged for some years. As the Standards Committee may be aware, any decisions on the adoption or variation of the Members' Allowances Scheme must be determined by a meeting of full Council, acting on the recommendation of the Council's Independent Remuneration Panel.
- 3.10 It is therefore intended to convene a meeting of the Independent Remuneration Panel with a view to reporting to a meeting of full Council in order for it to maintain or amend this provision. In anticipation of this, the Standards Committee is asked for any advice it may wish to give with regard to the level of payment to be made for personal use. Any such advice will then be forwarded to the Independent Remuneration Panel for inclusion within their deliberations.

#### **4.0 Implications for Council Policy and Governance**

- 4.1 This report has implications for the Governance of the Council with particular regard to Member Conduct issues.
- 4.2 There are no implications for any policies as contained within the Council's budget policy framework although there are implications for the development of corporate practices and policies in relation to the Council's Corporate ICT provision.

## **5.0 Legal And Resource Implications**

- 5.1 This report has legal implications with regard to ensuring the proper use of Council resources and ensuring compliance with software licensing agreements.
- 5.2 Developing clear parameters with regard to use of ICT facilities by Members will enable completion of the Council ICT's development programme which will introduce a number of benefits including updated ICT resources and considerably reduced support costs.

## **6.0 Conclusions**

- 6.1 It is considered essential that all Members should be encouraged to use Council-provided ICT systems in the interests of efficient and effective working.
- 6.2 The Council recognises that it would be difficult for Members to have both private and personal ICT systems and have no object in principle for such systems being used for secondary personal uses provided certain criteria are complied with.
- 6.3 It is considered imperative that clear rules be established in relation to the use of such equipment to cover both Council and incidental personal use by Members. In particular, the early establishment of such guidelines is essential to enabling the continued implementation of a corporate ICT upgrade programme which will bring significant financial and other benefits to the Council.
- 6.4 If individual Members have personal computing needs which cannot be met within the criteria operated by the Council then it will be necessary for them to make separate and personal arrangements for any activities that fall outside the Council's criteria.

## **7.0 Recommendation**

- 7.1 The Standards Committee is asked to:
  - 7.1.1 Note the contents of this report
  - 7.1.2 Offer such advice and recommendations as it considers appropriate in relation to any Member conduct matters.
  - 7.1.3 Consider whether it wishes to adopt the proposed guidelines as a local code within Part 5 of the Council's Constitution.
  - 7.1.4 Consider the fee which applies to Members making personal use of their ICT equipment as contained within the Council's Members' Allowance Scheme and consider whether or not it wishes to make any recommendations in this regard to the Council's Independent Remuneration Panel.



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**Report of the Chief Democratic Services Officer and the Head of ICT**

**Member Management Committee**

**Date: 31<sup>st</sup> October 2006**

**Subject: Members' ICT Support**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**EXECUTIVE SUMMARY**

In order to facilitate the development of ICT systems which are both modern and economic to support it is necessary to clarify the uses which may be made of the equipment and systems which the Council provides to Members.

Following previous discussions at this Committee, and subsequent consultations with Members via Group Whips, this report sets out proposed new guidelines. The Committee's advice and comments are sought, prior to seeking a formal decision as to their introduction.

**1.0 Purpose of this Report**

1.1 This report advises Members of the development of guidelines for the use of Members' ICT equipment and software in preparation for the Members' ICT upgrade programme.

**2.0 Background Information**

2.1 Members will recall that, at the last meeting of this Committee on 12<sup>th</sup> September 2006, they received a report outlining options for the development of guidelines for the use of Member's ICT equipment and software.

2.2 At that meeting, Members made a number of suggestions regarding the development of the guidelines contained in one of the options presented and resolved that officers should consult with Group Whips on their further development prior to bringing them back for further consideration at this meeting.

2.3 The revised guidelines have now been submitted to all Group Whips to facilitate consultation within their Groups and the resultant document is now attached as the Appendix to this report.

### **3.0 Main Issues**

3.1 As Members will recall that it is important to agree clear guidelines for the operation of Member's ICT equipment and software so as to enable the upgrade programme for Members' ICT to be scoped and delivered.

3.2 Moreover, it is important that this programme be undertaken as quickly as possible so as to enable enhancements in functionality for Members and the cost of service provision to be reduced.

3.3 Feedback from Whips included the following proposals

- That we remove references to "incidental" personal use. (These have been removed from the redrafted guidelines)
- That when new software is made available for use by Members that we announce in advance any restrictions in the use of that software which may be as a result of licence restrictions and so forth. (This proposal is again reflected in the redrafted guidelines)
- Members who wish to make unlimited use of Microsoft software should have the option of purchasing their own personal licence. (This proposal has not been included as the existing licensing arrangements allow Members to make personal and political use of their ICT equipment which would seem to accommodate most of their needs; any alternative arrangement would be complex to administer).

3.4 The main features of the proposal for the provision and use of ICT equipment and software by Members, as detailed in the attached, are as follows:

- The Member will be restricted to using their council-provided hardware and software primarily to conduct their Council business (and subject to the provisions around personal, political and business use contained in the attached Appendix).
- If a Member wishes to make use of the Council-provided ICT equipment and software for personal, political or business use (subject to the constraints outlined within the Appendix of this report), an annual payment must be paid.

- Use of the ICT equipment and software will be restricted to the Member (or another Member living in the same household). In all cases each Member will be provided with individual passwords to access the equipment and the Council's ICT systems and applications.
- The Member can use hardware and software provided in his / her home and those PCs supplied in Civic Hall and at other locations around the city – Morley Town Hall, Pudsey Town Hall, Dewsbury Road One Stop Centre etc.
- The desktops will be “protected” to ensure that no additional software or drivers for hardware which may compromise the system can be installed.
- The Member can choose between a standard Council PC and a standard Council laptop for installation within his or her own home.
- The BT Managed Service for ADSL connection constitutes part of the council-provided ICT equipment i.e. the Authority provides broadband access from Members' own homes.
- The Member can be provided with a VASCO token which allows authenticated access from any PC or laptop with an internet connection to use certain applications – e.g. corporate email system, corporate intranet, file storage areas (H:\ drive and L:\ drive) etc.
- Corporate ICT Services provide full support for hardware and software.
- Wherever possible technical problems will be resolved remotely by ICT support officers. Where the problem requires a physical examination of the hardware, laptop users will be encouraged to deliver the hardware to Civic Hall to expedite the resolution process.
- The standard Managed Service Charge for ICT service provision applies and will be charged to Legal and Democratic Services.
- The ICT equipment, software and support are provided at no cost to the Member.
- Consumables will be provided by Legal and Democratic Services to allow the Member to conduct Council business. A reasonable (unspecified) supply of consumables will be provided at the discretion of the Group Support Manager and subject to budgetary provision.
- All equipment and software to be refreshed and upgraded periodically in accordance with the corporate arrangements.
- Data storage facilities (for directories, files etc) will be available on the corporate ICT infrastructure and will be protected by the standard corporate back-up and anti-virus provisions.



- ALL non-council software will be removed from the desktop.
- A service catalogue of hardware and software will be drawn up through consultation with Group Support Managers and Members. Items within the catalogue may be requested and will be provided in accordance with budget availability within Legal and Democratic Services and / or a Members ICT Development strategy to be determined through consultation with Member Management Committee.

3.5 The guidelines are now being submitted to Member Management Committee for any further comment and advice from Members, prior to their being progressed as follows:

- Submission for approval by Standards Committee in relation to the implications for Member conduct issues.
- Submission, as appropriate, for approval by the Executive Board or by the Director of Corporate Services acting under delegated powers.

3.6 In addition, as indicated above, the proposals envisage continuing the current arrangement whereby Members who opt to make personal use of their Council supplied facilities are required to make a payment of £50 pa. This figure is embodied within the Members' Allowances Scheme and has remained unchanged for some years. It may be considered appropriate to seek the views of the Independent Remuneration Panel as to whether this sum should be revised, prior to asking full Council to consider revising the charge.

3.7 Once agreement has been reached as to the implementation of guidelines with regard to use of Members' ICT equipment, work will commence with a view to implementing the upgrade programme as quickly as possible. As part of implementing this programme, it will be important to gain the input of Members with regard to for example acceptance testing. To this end, Member Management Committee may wish to consider establishing a small group of, say, 3 to 5 Members to assist in the implementation of the programme.

#### **4.0 Implications for Council Policy and Governance**

4.1 The establishment of guidelines for Members' personal use of IT equipment has implications in relation to governance in that they impact on what may be considered as appropriate conduct by Members.

#### **5.0 Legal and Resource Implications**

5.1 Increased assurance of compliance with Data Protection Act.

5.2 Additional costs to the Council if the upgrade programme does not begin soon.

5.3 Adopting the proposed options will reduce the operational support costs for Members.

## **6.0 Conclusions**

- 6.1 The proposed ICT provision and associated guidelines for Members' ICT use meet the needs of most stakeholders.
- 6.2 The proposals around Members personal, political and business use of ICT will be presented at Standards Committee for consideration of the implications pertaining to Members' conduct.

## **7.0 Recommendations**

- 7.1 Member Management is asked to:
- Note the contents of this report
  - Offer such advice and comments the Committee considers appropriate prior to this report being submitted for approval as detailed in Section 3.0 above.
  - Establish a small Working Group of Members to provide a user input to the proposed ICT development programme.

<b>GUIDELINES FOR MEMBERS USING COUNCIL ICT EQUIPMENT</b>
<b>SECURITY</b>
The Member should make reasonable arrangements for the safekeeping of the ICT equipment allocated.
Insurance: Provided that the Member has made reasonable arrangements for the safekeeping of the ICT equipment allocated within his/her own home and in transit, Legal and Democratic Services will make such arrangements as are necessary for the replacement of the equipment at no cost to the Member. Where due care has not been taken with respect to the safekeeping of the equipment (for example, if a laptop is left in full view in an unattended vehicle) the Member will be responsible for replacement costs of the equipment.
The Member should not attempt to physically modify, repair or open computer hardware for any purpose.
The Member should not attempt to add, modify, repair or change any software for any purpose.
The Member may not link the computer to any network other than the Council's network.
Passwords are personal property and must not be shared with anybody else. N.B. Access to a Member's email inbox or calendar can be achieved either through the delegation facilities within the software or by providing authorisation in writing for technical staff to action on his / her behalf.
Data Protection: Members will at all times protect personal and confidential data.
Data storage: Wherever possible the Member should store their documents on the corporate data storage facilities (for directories, files etc) rather than on the hard disk (C:\ drive) of their allocated PC or laptop. This means that they will be protected by the standard corporate back-up and anti-virus provisions and be covered in terms of security of data in the event of theft or failure of the equipment itself.
<b>ACCESS</b>
Member to whom ICT equipment has been allocated and any other elected Members in the same household. NB: In cases where two or more Members share Council equipment, they will be provided with individual logins and passwords.
<b>CATEGORIES OF USE</b>
Use in connection with role as and discharge of functions as a Member, including use in connection with role on outside bodies appointed to by the Council
Private, business and political usage is permissible subject to the following conditions <ul style="list-style-type: none"> <li>• A Member wishing to make such use of Council equipment will be subject to a £50 annual charge</li> <li>• There should be no significant usage of Council-funded consumables</li> <li>• Certain specified software is not licensed for, and may not be used for, private business use (currently this applies to Microsoft products applications e.g. Word, Publisher, Excel and Powerpoint). Members are authorised to use IBM Lotus Notes software for business use at this time. Clarification around business and private use for other software on the Council's catalogue will be advised on a case by case basis.</li> </ul>
<b>E-MAIL LIMITATIONS</b>
Must comply with Corporate Code of email practice for Members (see below)
<b>INTERNET</b>
Internet facilities are provided to Members primarily for Council business, to assist in carrying out duties as an elected representative.
Inappropriate use of the Internet may result in allegations of misconduct to the Standards Board. Where criminal conduct may have occurred, breaches may also be reported to the police.
Members must not use Council-provided equipment to visit inappropriate sites. For guidance, such sites include the following: <b>Adults only</b> – sites that the author or publisher labels as being strictly for adults. Such labels include "Adults Only", "You must be over 18 to visit this site", "Registration is allowed only for

<p>people 18 or older” and “You must be of legal drinking age to visit this site”.</p> <p><b>Chat – sites</b> that offer access to offer access to online chat rooms, or allow users to download chat software that enables the online posting and receiving of real-time messages.</p> <p><b>Drugs</b> – sites that promote or advocate recreational drug use.</p> <p><b>Hate / Discrimination</b> – sites that specifically target a group of people based on race, gender, sexual orientation, religion or ethnicity in a hateful, derogatory manner. The language of these sites often includes racial slurs and is insulting, abusive, and sometimes violent.</p> <p><b>Illegal</b> – sites that promote illegal activities, or offer instructions or advice that can be used to commit illegal activities. Such activities include making or distributing child pornography, making bombs, hacking (breaking computer security), phreaking (breaching phone security or phone service theft), lock picking, selling pirated material (such as music, videos, software or fake IDs) and counterfeiting.</p> <p><b>Murder / Suicide</b> – sites offer information about committing murder or suicide, or that contain photos of crime scenes or autopsies. Sites containing galleries of “death pics” are included in this category.</p> <p><b>Personal Information</b> – sites that gather personal information (such as name, address, credit card number, school or personal schedules) that may be used for malicious intent.</p> <p><b>Pornography</b> – sites that contain material that are intended to be sexually arousing or erotic. This includes photos, animation, cartoons and stories.</p> <p><b>Profanity</b> – sites that contain crude, vulgar or obscene language or gestures. Sites that include excessive use of letter substitution are included.</p> <p><b>School cheating information</b> – sites that promote plagiarism or cheating by providing term papers, written essays, or exam answers.</p> <p><b>Sex</b> – sexual merchandising and fetish sites are included.</p> <p><b>Tasteless / Gross</b> – sites that include content such as tasteless humour, excretory functions (vomiting, urinating or defecating), graphic medical or accident scene photos (containing blood or wounds), and some forms of body modification (cutting, branding or genital piercing).</p> <p><b>Violence</b> – sites that contain graphic images or written descriptions of reckless violence or grave injury (e.g. maiming, mutilation or dismemberment). Includes graphically violent games.</p> <p><b>Weapons</b> – sites that containing information about buying, making, modifying, or using weapons such as guns, knives, swords or ammunitions.</p>
<p>Members must not download, copy or record inappropriate content (obscene, violent, sexual etc). Indications of categories are outlined above.</p>
<p>Members must not knowingly use the internet in a way which may interfere with or damage the Council’s network</p>
<p>Members must not download programmes from the internet, except where authorised to do so by the Chief IT Officer.</p>
<p>The Member must not sign up to any other ISP (Internet Service Provider) for Internet use on the LCC computer.</p>
<p><b>HARDWARE</b></p>
<p>Hardware from the Council’s catalogue will be provided, installed and supported at the Council’s expense. This catalogue will be periodically updated in consultation with Group Support Managers. Members may request additional items to be added for Council business purposes. Where there is a business case (i.e. the potential for wide use / benefits across all Members) hardware will be evaluated for inclusion on the list.</p>
<p>Hardware must not be modified in any way.</p>
<p>No other hardware may be installed or connected to Council-provided ICT equipment by a Member.</p>
<p><b>SOFTWARE</b></p>
<p>Software from the Council’s catalogue will be provided, installed and supported at the Council’s expense. This catalogue will be periodically updated in consultation with Group Support Managers. Members may request additional items to be added for Council business purposes. Where there is</p>

a business case (i.e. the potential for wide use / benefits across all Members) software will be evaluated for inclusion on the list. Any additional software will be tested prior to inclusion to ensure no detrimental impact on the corporate desktop (N.B. there will be a lead time for this).
Software must not be modified in any way.
No other software may be installed by a Member on Council-provided ICT Equipment.
<b>CONSUMABLES</b>
Only paper and cartridges which comply with the Council's published guidelines may be used.
The Council will provide a reasonable (unspecified) supply of consumables at the discretion of the Group Support Manager and subject to budgetary provision.
A Member may, at his/her own expense, purchase and use additional paper and cartridges.
<b>RECHARGES</b>
Members will be entitled to use their Council-provided computer equipment and software for Council business purposes at no cost to them.
A £50 annual charge will be levied on Members who wish to use their Council provided ICT equipment and software for private, political and business purposes. Such use is subject to the contents of this guidance document.
<b>EXCLUSIONS</b>
It may be justifiable and appropriate that Members use the equipment and software provided for purposes outside the above guidelines. Such use, however, needs to be approved by the appropriate Group Support Manager on a case-by-case basis.

## LEEDS CITY COUNCIL

### MEMBERS E-MAIL CODE OF PRACTICE

#### 1 INTRODUCTION

- 1.1 The purpose of this Code of Practice is to make sure the Council's e-mail facilities are used properly by all users.
- 1.2 E-mail facilities are provided to Members to enable them, or assist them in carrying out their duties as elected representatives. However, some incidental personal use by Members is allowed (see below). E-mail facilities are provided to Members primarily for Council business, to help them carry out their duties as elected representatives. However, by agreement the facilities can also be used by Members for other secondary personal uses. All users are personally responsible for complying with the rules for email use in this Code of Practice, and for making sure they use e-mail in a way which is compatible with the Council's Core Values.
- 1.3 E-mail correspondence is subject to the same internal Council rules, policies and procedures as other Council communications. It also has the same legal status as other communications, so it could create a contract, or someone could claim they were being harassed by email.
- 1.4 E-mail correspondence is subject to legal restrictions, just like other communications. Information must not be sent by e-mail, where this would break data protection or human rights rules about not disclosing personal data or private information.
- 1.5 All users must be vigilant about making sure their own e-mail account and the Council's systems generally are kept secure, and must comply with the rules about the security of the Council's systems.
- 1.6 Breaches of the rules for e-mail use in this Code of Practice by Members may result in allegations of misconduct to the Monitoring Officer. Where criminal conduct may have occurred, breaches may also be reported to the Police. E-mail users who breach the data protection rules could face prosecution.

#### 2. RULES FOR E-MAIL USE

- 2.1 Members use e-mail to help them carry out their duties as elected representatives, subject to incidental personal use (see below). Where an Elected Member has entered into an agreement to make other secondary private use of a computer, all such use must also be in accordance with the following rules.
- 2.2 Generally, users must make sure their e-mail correspondence conforms to the Council's rules, policies and procedures.
- 2.3 In particular, users must not engage in any e-mail correspondence which would constitute a breach of:
  - The Disciplinary Rules, Code of Conduct, and Disciplinary Procedures.
  - Policies relating to dignity at Work.
  - the Equalities Policies.
  - the Members Code of Conduct.

2.4 Users must not create and/or send messages and/or attachments to messages that are, or which reasonably could be regarded as being:

- obscene
- pornographic
- indecent
- of a sexual nature
- violent
- a serious attack on someone's reputation
- racist, sexist or otherwise discriminatory or harassing
- threatening or intimidating
- encouraging or supporting racism, sexism, violence, drug taking or gambling

Where Elected Members have to send email or attachments with this content, as part of their duties as elected representatives, they must have prior authorisation from the Chief Democratic Services Officer (or nominee).

2.5 Users must not use e-mail to disclose information, where this would break data protection or human rights rules.

2.6 Users must not send non-Council related advertisements, chain letters other unsolicited non business related email.

2.7 Users must not create or exchange information, logos etc. which belong to someone else, in contravention of copyright or other intellectual property laws.

2.8 Users must not commit the Council to any contract or agreement other than in compliance with the Council's Contracts Procedure Rules, and Financial Procedure Rules.

2.9 Users must not (unless authorised to do so as part of proper proxy arrangements, and/or where they have the consent of the other e-mail user):

- give their passwords to others.
- read e-mail in, or send email from another e-mail user's account.
- alter e-mail or attachments which they have received, or which are in another email user's account,
- add or delete attachments to e-mail which they have received, or which are in another e-mail user's account,

2.10 Incidental e-mail correspondence (i.e. which is personal, political or business in nature), is allowed as long as it does not have an adverse effect on service levels. All such e-mail by Members, must still comply with the rules for e-mail use in this Code of Practice, and will still be subject to monitoring. It should also be noted that private, business and political emails may be associated with the Council by the recipient in that any email issued identifies the Member @leeds.gov.uk.

2.11 E-mail correspondence on a matter which becomes, or might become subject to court action should be kept (and not deleted from e-mail systems), because it might need to be disclosed in court. If a matter is subject to court action, internal e-mail correspondence should be avoided.

- 2.12 E-mail correspondence on a matter which is the subject of a request for information under the Freedom of Information Act 2000 must not be deleted until after the request has been dealt with, and any complaint or application to the Information Commissioner has been determined.