

# Communication Devices Policy for Councillors

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Contact Officer:	Manager Administrative Services
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**Related Policies:**

Code of Conduct

Gifts & Benefits Policy

Internal Reporting Policy - Protected Disclosures

## 1. Objectives

- To ensure that the use of all Council communication devices is fully compliant with the requirements of Council's Code of Conduct and the Councillors' Expenses & Facilities Policy.
- To ensure that Councillors understand and meet their obligations under the Code of Conduct in respect of the use of Council resources.
- To provide guidelines for the provision and use of communication devices, including portable communication devices.
- To allow limited private use of communication devices.

## 2. Policy Statement

The procedures for the use by Councillors of all Council communication devices will be monitored continually and updated whenever appropriate to ensure that council resources are used ethically, effectively, efficiently and carefully in the course of public duties, and not used for private purposes unless this use is lawfully authorised and proper payment is made where applicable.

## 3. Definitions

In this policy:

**Communication Devices** mean any form of mechanical or technological aid or tool owned by or under the control of Randwick City Council and used by Councillors, including (but not limited to) fixed line telephones, mobile phones, personal digital assistants, computers, laptops and tablet style computers, computer software, email systems, internet, printers, scanners, photocopiers, facsimile machines, photographic equipment and the like.

**Office workplace** includes all locations where communication devices are normally used by Councillors including the administration building, Randwick Town Hall, Councillors' private homes and other sites.

**Private use** means the use of communication devices for purposes that are not for or directly related to the operations of Randwick City Council.

**Councillor(s)** means all elected representatives of Randwick City Council.

## 4. Code of Conduct

Briefly the Code states that you must not:

- use Council resources for private purposes unless the use is authorised and payment is made where appropriate;
- misuse Council resources or permit misuse by anyone else;
- create the impression that Council resources are being misused.

The use of Council resources is dealt with in the Code of Conduct. Communication devices are a Council resource. Councillors should familiarise themselves with clauses 9.14 to 9.21 of the Code in particular.

## 5. Provision and Management of Communication Devices

Communication devices are provided to assist you and other Councillors to undertake your duties and functions and to support the operations of Randwick City Council in an efficient and productive manner.

Communication devices are provided to Councillors in accordance with Council's 'Councillors' Expenses & Facilities Policy.'

Generally communication devices will be standardised, unless specific operational needs require otherwise. The purchase of communication devices will be undertaken in accordance with Council's Purchasing Policy and Procedures.

Management of communication devices of an information technology nature will generally be the responsibility of the Manager Information Technology.

Training in the use of communication devices will be provided to all Councillors after each ordinary election and also on an as required basis.

## 6. Use of communication devices

Communication devices may be used only in undertaking your duties and functions and to support the operations of Council. However, it is accepted that limited private use of communication devices is likely and reasonable and, therefore, is permitted in accordance with this policy. If you are provided with communication devices you will be required to enter into and comply with the Communication Devices Policy Agreement for Councillors (Attachment A).

The use of Council internet and email facilities is subject to the *Internet and Email Guidelines*.

## 7. Private use of communication devices is permitted in certain circumstances

You may undertake private use of communication devices only if the use complies with all of the following conditions (these conditions are in conformity with the ethical standards expected of Councillors):

- is minor, brief, infrequent and irregular
- consumes only very limited amounts of supplies, energy and time
- is for yourself or your immediate family and not for anyone else, an organisation or business
- does not tamper with, damage or otherwise adversely affect the performance of the communication device(s)
- is not related to or creates a conflict of interest as explained in the Code of Conduct and Conflict of Interests Guidelines
- is not for any unlawful, unauthorised or political purposes
- is not in connection with any secondary employment (i.e. for a private business)
- does not misuse any Council resources or create the impression that Council resources are being misused
- is not specifically prohibited in writing by the General Manager, individually or generally
- is in compliance with any specific conditions imposed in writing by the General Manager, individually or generally.

### **The following are examples of acceptable private use:**

This list is not exhaustive. It is a guide as to what is considered reasonable as private use.

- making or receiving short personal telephone calls no more than a few times a day
- making photocopies of a few pages no more than once or twice a week
- sending or receiving private emails occasionally
- sending or receiving a personal fax of no more than a few pages occasionally
- using a computer and printer for a personal assignment
- using the internet to visit appropriate sites
- scanning a personal document occasionally
- downloading applications (such as music, books, games) occasionally, subject to the cost of such downloads being at each Councillors' personal expense and the backing up of such downloads being each Councillors' personal responsibility.

If you are uncertain whether any proposed private use is permissible you should discuss it first with the General Manager.

Private use does not include any use of communication devices that may be undertaken by you in an honorary capacity such as a volunteer for a non-profit organisation, community group (except in your capacity as a Councillor) or political group. Private use for such purposes is not permitted because of the potential for the use to adversely consume Council resources or conflict with Council's operations. Where this type of use could generally conform to the conditions for private use, consideration may be given by the General Manager to approving such use as private use, subject to conditions.

### **Other private use of communication devices is permitted only if:**

- the communication devices have been made available for use by members of the public as a service to the community, and
- the private use is on the same terms and conditions as apply to members of the public.

Auditing of private use may occur at any time to ensure compliance with this policy.

If any private use results in the negligent loss or damage of communication devices the cost of replacement or repair may be charged to the responsible Councillor.

If a communication device becomes faulty, damaged or unworkable for any reason, Council's IT Section will (where possible) repair the device and restore the Council applications/systems. If the device requires external repair or replacement, Council will arrange for such repair or replacement. In any case, communication devices will be restored with Council applications/systems only. The restoration or replacement of any communication device will not include the restoration of applications downloaded by any Councillor for personal use. The restoration of such downloads is the responsibility of each individual Councillor.

## 8. Portable communication devices

Communication devices of a portable nature may be provided to Councillors in accordance with the 'Councillors' Expenses & Facilities Policy.'

Prior to ceasing service as a Councillor all council-owned portable communication devices must be returned to the Manager Administrative Services. They must not be

passed onto anyone else to use. It is the responsibility of individual Councillors to ensure that the portable communication devices are returned to the Manager Administrative Services or arrangements are made to purchase the device/equipment in accordance with the Councillors' Expense & Facilities Policy.

Councillors not seeking re-election, resigning or after each general election any Councillor may request to retain/purchase Council owned portable communication devices. The General Manager shall consider each request and determine an appropriate price, having regard to Council's policy on disposal of "minor value" assets under the Disposal of Assets Policy and Procedures.

Payment for the purchase of the equipment must be made within 7 working days of the determined price being conveyed to the Councillor.

## 9. Lost/Stolen portable communication devices

Councillors are responsible for reporting lost or stolen communication devices to the Manager Administrative Services as soon as the loss of the device is identified, so that appropriate safeguards can be activated to ensure the security of council information and systems.

## 10. Implementation

This policy is the responsibility of the Manager Administrative Services.

Implementation of the policy is the responsibility of the General Manager having regard to the 'Councillors' Expenses & Facilities Policy.'

## 11. Breaches of this policy

Should you believe that a Councillor is in breach of this policy you are encouraged to discuss the matter with the General Manager.

A serious breach of this policy may amount to corrupt conduct or maladministration. Should you be concerned at any time that reprisal action may be taken against you for reporting a serious breach then you might consider making a protected disclosure.

A protected disclosure allows you to report corrupt conduct, maladministration or serious and substantial waste of public money and be protected from any reprisal action. Further information is available in the Internal Reporting Policy – Public Interest Disclosures Act.

Any Councillor found to have breached this policy may be reported to the Conduct Review Committee.

**Attachment A**



**Communication Devices Policy Agreement for Councillors**

I will use Randwick City Council computer resources and all other communication devices for acceptable purposes only.

I understand that Council continuously monitors its computer resources and that a record of my computer usage may be viewed or printed and distributed without reference to me.

I will not download, distribute or transmit unacceptable material.

I will not disclose any password maintained by me which provides access to the computer facilities.

I have read the Communication Devices Policy for Councillors and the Internet & Email Guidelines and Conditions of Access (printed overleaf) and agree to abide by them.

<b>Name</b>	_____	<b>Date</b>	_____
<b>Signature</b>	_____		_____

- |  |          |
|--|----------|
| 1. Computer Access (including iphone, ipad & Extranet) | YES / NO |
| 2. Internet Access                                     | YES / NO |
| 3. External Email Access                               | YES / NO |

Authorised by General Manager \_\_\_\_\_

**This form should be submitted to the Manager Administrative Services**

# Randwick City Council Internet and Email Guidelines and Conditions of Access for Councillors

Randwick City Council provides Internet and Email access in order to support our Vision of Randwick as a special place to live, with its coastal environment leading to a high quality of life for its citizens. Access to the Internet and Email supports the following objectives:

- Provide for the information needs of the Councillors and staff of Randwick City Council as well as relevant information for the residents of Randwick.
- Expand the information services of Randwick City Council so that residents and the wider community have immediate access to information.
- Support the professional development needs of the Councillors and staff of Randwick City Council and enhance communication between the Council and the wider community.

## Guideline 1

Acceptable uses of the Internet and Email are activities which support learning and information gathering. Internet and Email users are encouraged to develop uses which meet their individual needs in a responsible, ethical and legal manner and which take advantage of the Internet's functions such as electronic mail, conferences, bulletin boards and research facilities.

## Guideline 2

The Randwick City Council Code of Conduct applies to Internet and Email use.

## Guideline 3

Unacceptable use of the facility which may lead to removal of privileges or disciplinary action includes:

- Violation of the privacy or rights of other users.
- Use for commercial purposes without Council's written permission.
- Breaching copyright law or other intellectual or industrial property rights.
- Use for any illegal activity or for gambling.
- Use to threaten or harass others, such as display of sexually explicit or objectionable material.
- Any attempt to introduce any damaging computer code or virus.
- Any unauthorised attempt to alter hardware or software configurations at this or any other site.
- Any attempt to access a site which contains pornographic or sexually explicit material.

- Use which mitigates against Council's commitment to prevent and eliminate discrimination in the workplace including discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity and age.

## Guideline 4

Access to the Internet and Email facilities is via user passwords. The user is responsible at all times for proper use of the password and for all access under the password, which should be changed regularly to prevent misuse. It is a violation of rights to use another person's password.