

**KILKENNY COUNTY COUNCIL**  
**COMHAIRLE CHONTAE CHILL CHAINNIGH**



**ELECTRONIC**  
**COMMUNICATIONS POLICY**

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**OCTOBER 2018**

*[Approved by Management Team on Tuesday, 16<sup>th</sup> October, 2018]*

# ELECTRONIC COMMUNICATIONS POLICY

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## 1. SCOPE

- 1.1 Users should understand that all data, equipment and communication systems are the property of the Council and accordingly are subject to such control and monitoring as are necessary.
- 1.2 This policy applies to all electronic communications systems provided by Kilkenny County Council including, but not limited to, internet, intranet, e-mail, personal computers and laptops, tablets, PDAs (personal digital assistant), USB flash drives (commonly referred to as memory sticks), digital cameras, Dictaphones, telephones, mobile telephones, smart phones, fax machines, photocopiers and all other digital devices.
- 1.3 It is the responsibility of management, staff and elected members of Kilkenny County Council to ensure that all such tools are used in accordance with this policy.
- 1.4 All users are expected to use common sense and to conduct themselves in a manner which is appropriate to the execution of duties in the workplace. Breaches of this policy may result in personal liability of users and/or vicarious liability on behalf of Kilkenny County Council under many enactments including, but not limited to the following:
  - Employment Equality Act, 1998 - 2007
  - Equal Status Act, 2000 - 2012
  - Data Protection Act, 1988 - 2018
  - Freedom of Information Act, 1997 - 2004
  - The Companies Acts 1963 - 2014
  - Copyright and Related Rights [Amendment] Act 2007
  - Child Trafficking and Pornography Act 1998
- 1.5 Other documentation that is relevant to this policy includes the Kilkenny County Council' policies on:
  - Grievance and Discipline
  - Dignity at Work
  - Equality and Diversity

## 2. SECURITY

- 2.1 All electronic communications systems and equipment provided by Kilkenny County Council for use by staff remains the property of Kilkenny County Council. Employees must not remove any such equipment from the Council's premises without prior authorisation from the Director of Services or his/her nominee. All equipment provided by the Council should be returned to the Information Systems [IS] Department when a user is leaving the Council, or changing employment position with the Council.
- 2.2 Employees assigned the use of such equipment by the Council must ensure the physical security of the equipment.
- 2.3 Users should ensure that laptops, tablets, printers, cameras, data devices, mobile phones etc are kept secure at all times to reduce the risk of theft and damage, in particular when the devices are outside the office.

- 2.4 Users should inform their Director of Services, Data Protection Officer and the IS Department immediately of any security incident or malfunction and of any theft or loss of any device such as laptop, PCs, phones, memory sticks, data devices etc..
- 2.5 It is the user's responsibility to be informed of the correct operating procedures for the computer resources or products used. A user who is uncertain as to the correct procedure in any situation should obtain clarification before proceeding.
- 2.6 Only those laptops and data storage devices (USB disks, external hard drives etc.) that are deemed by the IS Department to have the appropriate security and anti-virus measures can be used.
- 2.7 No Device can be connected to the Council network without the prior approval of the IS Department.
- 2.8 If you leave your workstation for a period of time, during which it could be accessed by another person, you should "lock" or "password enable" your computer. You can do this by pressing CTRL ALT DEL keys simultaneously and select Lock Computer.
- 2.9 Staff should take particular care with USB memory sticks in particular and any data stored on CD/DVDs. It is Kilkenny County Council's policy that sensitive or confidential information should not be moved from the Council PCs or Servers onto temporary storage devices, e.g. memory sticks, CDs etc as this represents a security risk as these devices can be easily lost or stolen.
- 2.10 Memory sticks and such devices are useful for transporting non-sensitive information, for example presentations, from one location to another. However, they should not be used to transport what could be deemed as personal and sensitive data at any time. If an employee is unsure about what constitutes personal and sensitive data, they should contact their Data Protection Officer or the Head of IS.
- 2.11 Only previously approved encrypted USB sticks can be used by authorized staff on Council PCs or Servers. Use of USB sticks is limited to authorized staff only.
- 2.12 Device encryption software must be installed on all Kilkenny County Council laptops before the laptop is released for use.

### **3. PASSWORDS**

- 3.1 Users must not engage in conduct which interferes with other's use of shared computing resources and/or the activities of other users.
- 3.2 Users are responsible for all transactions that are made with their username and password.
- 3.3 Users must not utilise any other person's access rights or attempt to gain access to resources or data for which authorisation has not specifically been granted. Users must not attempt to bypass or probe any security mechanisms governing access to the computer systems.
- 3.4 No staff member may misrepresent himself / herself as another individual.
- 3.5 Passwords must remain confidential to each user and must not be relayed to any other person. Passwords should not be shared e.g. to cover for someone who is out of the office, A user may log on at any PC using his/her own username and password. Users can contact the IS Department for assistance on this.

- 3.6 Passwords will expire after a specific length of time, currently 30 days. Users should ensure that passwords are changed when prompted to do so. The IS Department may provide the option to alter any passwords as necessary, but prior approval from the line manager is required.
- 3.7 Passwords should not be your name, address, date of birth or any word that can be easily guessed.

The password should:

- a) Not contain the user's account name or parts of the user's full name that exceed two consecutive characters
  - b) Be at least seven characters in length
  - c) Contain characters from three of the following four categories:
    - English uppercase characters (A through Z)
    - English lowercase characters (a through z)
    - Base 10 digits (0 through 9)
    - Non-alphabetic characters (for example, !, \$, #, %)
- 3.8 Each user carries sole responsibility for security access to his/her computer.
- 3.9 No password should be spoken, written, e-mailed, shared or in any way made known to anyone other than the user involved. This includes staff in the IS Department.
- 3.10 Passwords should not be displayed on your desk, PC monitor etc..
- 3.11 Administrative passwords are subject to the following regulations:
- They must be at least seven characters long.
  - Should never be revealed under any circumstances.
  - No PC/server should be left logged in and unattended with an administrative password unless a password protected screen saver is enabled.

#### **4. SOFTWARE OWNERSHIP**

- 4.1 All software which is provided by Kilkenny County Council to an employee is licensed and owned by the organisation and may not be downloaded, stored elsewhere or transferred to another individual by any employee of Kilkenny County Council.
- 4.2 New Software can only be installed by authorised Information Systems staff.
- 4.3 Under no circumstances should an employee load his/her own software or download software from the Internet on to Kilkenny County Council' property.
- 4.4 Any breach of these requirements may result in use of the disciplinary procedures and in disciplinary action.

#### **5. CONFIDENTIALITY**

- 5.1 When a user registers with a site or a service in the name of Kilkenny County Council the resulting spamming of information may tie up the communications system. Users must not register with an electronic service over the internet without prior permission from their Line Manager and from their IS Department, to avoid the release of confidential Kilkenny County Council' information to third parties and to avoid interference with the communications systems.
- 5.2 Users must maintain confidentiality while carrying out their duties and while on Council business.

5.3 Users should not release confidential information to third parties.

## 6. MUSIC FILES

6.1 Users are not permitted to store music files on their personal computers as it is an infringement of copyright laws.

## 7. ENERGY POLICY

7.1 PCs and monitors are consumers of significant electrical energy which is dissipated as heat. All employees should routinely power down their PC's and monitors when not in use.

7.2 Every evening and particularly at weekends all electronic devices such as PCs, printers and photocopiers should be properly shutdown and phone chargers plugged out.

7.3 The IS Department may determine by use of a group policy the automatic shutdown of PCs after a period of inactivity or at a certain time in the night.

## 8. LEGAL IMPLICATIONS OF STORING ELECTRONIC DATA

8.1 All information held in electronic format is subject to legislative requirements, as is information held in paper format. These requirements include, but are not exclusive to, Copyright, Data Protection and Freedom of Information Legislation and the liabilities which may result from breaches of such legislation.

8.2 Employees must not carry confidential, personal or highly sensitive data on unencrypted devices. Users should contact the IS department if there is a specific business need to move personal and sensitive data.

8.3 Confidential, personal or highly sensitive data (names, addresses, phone numbers, PPS numbers, bank account details, date of birth, medical information etc) should not be stored on laptops, USB memory sticks, any mobile data device, CD or DVD etc unless written approval has been received from a Director of Services and the IS Department has encrypted or protected the data.

8.4 Credit Card details are not to be stored in any format i.e. not electronically or on paper.

8.5 Confidential, personal or highly sensitive data should not be transmitted by email, internet CD etc to external sources unless written approval has been received from a Director of Services and the IS Department has encrypted or protected the data.

8.6 All data must be stored in an up-to-date format. Personal information may contain only information relevant to the individual and to the purpose for which it is being stored. Data must not be used for any other purpose. This data must be maintained in an accurate format and must be altered if the user/authority becomes aware of inaccuracies.

8.7 It is an offence to alter or falsify documents in an electronic format or paper / hard copy format. Care must be taken when forwarding or sending information which has been received from a third party or which is specific to another organisation.

8.8 Employees should be aware that merely deleting information may not remove it from the system and deleted material may still be reviewed by the employer and / or disclosed to third parties.

- 8.9 When processing personal data employees are required to follow the following rules. You must:
- Obtain and process the information fairly
  - Keep it only for one or more specific and lawful purposes
  - Process it only in ways compatible with the purposes for which it was given to you initially
  - Keep it safe and secure
  - Keep it accurate and up to date
  - Ensure that it is adequate, relevant and not excessive
  - Retain it no longer than is necessary for the specified purpose or purposes
  - Give a copy of his/her personal data to any individual on request

## 9. MONITORING POLICY

- 9.1 It is the policy of Kilkenny County Council to monitor PC content, e-mail content, internet usage and information stored on PCs, laptops, tablets, mobile phones, shared data drives and mobile data storage and all network usage by and on behalf of all employees in order to protect Kilkenny County Council and their employees from liability under equality, data protection, pornography and copyright legislation. This does not constitute infringement of any individual rights to personal privacy under the Data Protection Acts. Monitoring developments may change over time. In addition Kilkenny County Council will monitor directly each individual's PC for inappropriate image content.

## 10. MATERIAL OF AN OBSCENE OR OFFENSIVE NATURE

- 10.1 Users are subject to all legislation regulating the use of Kilkenny County Council' IT/Communications resources, including provisions regarding obscenity, child pornography and sedition.
- 10.2 "Users" must not store, download, upload, circulate or otherwise distribute material containing:
- (a) Any derogatory comment regarding gender, marital status, family status, sexual orientation, religious or political belief, age, disability, race or membership of the travelling community or other categories pursuant to applicable law
  - (b) Any material of a pornographic nature
  - (c) Any material of a paedophilic nature
  - (d) Material containing offensive or foul language.
  - (e) Any content prohibited by law
- 10.3 Allowing objectionable material to appear on an employee's PC screen or storing, printing out or displaying such material may constitute the creation of a hostile work environment, subjecting the employee to disciplinary action up to and including dismissal and subjecting Kilkenny County Council and the employee to civil or criminal charges and serious embarrassment.
- 10.4 If an employee receives any offensive, unpleasant, harassing or intimidating messages via e-mail or other computer sources the employee should
- (a) forward the message via email to the IS or HR Department.
  - (b) inform the sender that such images are offensive and that they should refrain from sending such images in future and
  - (c) delete the message.

## **11. VIRUS PROTECTION**

11.1 Viruses can enter an organisation a number of different ways:

- Unscanned media (disks etc.) being brought into the organisation.
- E-mails or attachments
- Downloaded data from the Internet.

11.2 Individuals using electronic information must be familiar with and comply with Kilkenny County Council' procedures governing usage of all digital media. Any electronic data received from an unknown source must be forwarded by the user to and checked by the IS Department and be virus-scanned prior to being opened.

## **12. E-MAIL**

12.1 Many employees have a designated e-mail account to facilitate the sending and receiving of business messages between staff and between the Council and its clients and suppliers. No other personal email account may be accessed through the Council's information systems.

12.2 The content of any e-mail must be in a similar style to that of any written communication such as a letter or report as they have the same legal standing. It is important that e-mails are treated in the same manner as any other written form of communication in terms of punctuation, accuracy, brevity and confidentiality. Similarly any written, stored or forwarded and disseminated information must adhere to the guidelines within the Data Protection and the Employment Equality legislation and in accordance with the equality policy of Kilkenny County Council.

12.3 In terms of GDPR/Data Protection, e-mail recipients names and email addresses are considered personal data which should only be stored and shared when necessary. If an e-mail is sent to a list of contacts using the normal 'To' or 'CC' address lines, everyone who receives the message will know the email address of everyone else on the addressee list. Using 'BCC' prevents everyone seeing the full list of recipients.

## **13. RISKS ASSOCIATED WITH E-MAILS.**

13.1 Messages can carry viruses that may be seriously damaging to the Council's systems.

13.2 Letters, files and other documents attached to mails may belong to others and there may be copyright implications in sending or receiving them without permission.

13.3 It has become increasingly easy for messages to go to persons other than the intended recipient and if confidential or commercially sensitive, this could be breaching Kilkenny County Council' security and confidentiality and a person's privacy.

13.4 E-mail is speedy and, as such, messages written in haste or written carelessly are sent simultaneously and without the opportunity to check or rephrase. This could give rise to legal liability on the part of the Council.

13.5 An e-mail message may legally bind the Council contractually in certain instances without the requisite internal authority.

13.6 All personal data contained in e-mails may be accessible under Data Protection legislation and, furthermore, non-personal and personal data may be accessible under Freedom of Information legislation.

13.7 E-mails should be regarded as potentially public information which carry a heightened risk of legal liability for the sender, the recipient and the organisations for whom they work.

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

- 14.1 In order to avoid or reduce the risks inherent in the use of e-mail within Kilkenny County Council, the following rules must be complied with:
- 14.2 A bi-lingual signature similar to the format and text below must appear at the end of every e-mail sent from your Council address:  
*Name /Ainm*  
*Title*  
*Kilkenny County Council / Comhairle Chontae Chill Chainnigh etc*  
*E-mail: [abc@kilkennycoco.ie](mailto:abc@kilkennycoco.ie)*  
*Web: <http://www.kilkennycoco.ie>*  
*Ph: Department/Group Hunt Group Number*  
*Fax: Number*
- 14.3 The Council's name is included in the address of all staff members and is visible to all mail recipients. This reflects on the image and reputation of the organisation. Therefore, e-mail messages must be appropriate and professional.
- 14.4 Correct spelling and punctuation should be maintained in all communications.
- 14.5 E-mail is provided for business purposes.
- 14.6 Occasional and reasonable personal use of e-mail is permitted provided that this does not interfere with the performance, work duties, responsibilities and customer service of Kilkenny County Council, does not support any business other than the Council and otherwise complies with this policy.
- 14.7 Non business email which gets blocked by any of the security systems employed by Kilkenny County Council will not be released by the IS Department.
- 14.8 An e-mail should be regarded as a written formal letter, the recipients of which may be much more numerous than the sender intended. Therefore any defamatory or careless remarks can have serious consequences, as can any indirect innuendo. The use of indecent, obscene, sexist, racist, harassing or other appropriate remarks whether in written form, cartoon form or otherwise is forbidden.
- 14.9 E-mails must not contain matters which may discriminate on grounds of gender, marital status, family status, age, race, religion, sexual orientation, disability or membership of the Traveller community.
- 14.10 Any e-mails received from an unsolicited or unknown source must be reported to the IS Department to be checked for viruses prior to opening.
- 14.11 Distribution lists may only be used in connection with Council's business. There may be a few exceptions to this as authorised by the Head of Information Systems, HR Officer, or Director of Services, Corporate (e.g. Sports & Social Club notices), but for all other mails, names must be selected individually.

In terms of GDPR/Data Protection, e-mail recipients names and email addresses are considered personal data which should only be stored and shared when necessary. If an e-mail is sent to a list of contacts using the normal 'To' or 'CC' address lines, everyone who receives the message will know the email address of everyone else on the addressee list. Using 'BCC' prevents everyone seeing the full list of recipients.

- 14.12 Particular care should be taken when sending confidential or commercially sensitive information. If in doubt please consult your line manager.



- 14.13 Great care should also be taken when attaching documents as the ease with which employees can download files from the Internet or 'cut and paste' materials from electronic sources increases the risks of infringement of the rights of others particularly to copyright, intellectual property and other proprietary rights.
- 14.14 Where necessary or work demands require, you should obtain confirmation that the intended recipient(s) have received your e-mail.
- 14.15 Documents prepared internally for the public or for clients may be attached via the e-mail. However, excerpts from reports other than Kilkenny County Council, may be in breach of copyright and the author's consent should be obtained particularly where the excerpt is taken out of its original context. Information received from a customer should not be released to another customer without prior consent of the original sender. If in doubt consult your line manager.
- 14.16 Do not subscribe to electronic services or other contracts on behalf of the County Council unless you have express authority to do so.
- 14.17 If you receive any offensive, unpleasant, discriminatory, harassing or intimidating messages via the e-mail system you must immediately inform your line manager, the Head of IS and the HR Department.
- 14.18 Chain mails or unsuitable information must not be forwarded internally or externally.
- 14.19 The Council reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system for any purpose or where it deems necessary.
- 14.20 Notwithstanding the Council's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorised to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior written approval from the employer. However, the confidentiality of any message should not be assumed. Even when a message is erased it is still possible to retrieve and read that message.
- 14.21 The following are specifically forbidden under the terms of this policy document:
- Mass non-business related mailings,
  - Chain letters;
  - Use of e-mail as a "chat room";
  - Sending non-business related attachments either internally or externally;
  - The use of e-mail for non-commercial purposes and or personal financial gain or significant personal use; and
  - Significant personal use that interferes with a User's ability to perform his/her duties.
- 14.22 Large files should be zipped where possible before sending them. Employees should contact the IS Department for assistance.
- 14.23 Users must ensure that their Inbox, Drafts, Sent Items and Deleted Items folders are cleared down regularly.

## 15. THE INTERNET/INTRANET

- 15.1 Access to the internet/intranet is provided to staff as necessary solely for the purpose of conducting Kilkenny County Council's business.

## 16 RULES FOR INTERNET USE

- 16.1 Kilkeny County Council's internet connections are intended for activities that either support the Council's business or the professional development of employees. Occasional and reasonable personal web browsing is permitted provided that this does not interfere with the performance, work duties, responsibilities and customer service of Kilkeny County Council, does not support any business other than the Council and otherwise complies with this policy.
- 16.2 Generally internet access will only be provided to authorised personnel. Authorised personnel will have responsibility for Internet access under their account and hence will also have responsibility for illicit use of their account with or without their consent.
- 16.3 All Internet usage is monitored on an ongoing basis.
- 16.4 To prevent viruses from being transmitted through the system unauthorised downloading of any software programmes or other material is forbidden. All requests for downloading (from the internet or otherwise) should be directed through the IS Department and approved by your line manager.
- 16.5 Internet use is not permitted for personal gain or profit, to represent yourself as someone else, or to post or download messages that contain political views, or contrary to the ethics and other requirements of the Local Government Act 2001 and 2014 and all the appropriate legislation and regulations.
- 16.6 It is a disciplinary offence to access, download, save, circulate or transmit any racist, defamatory or other inappropriate materials or materials that may discriminate on the grounds of gender, marital status, family status, age, race, religion, sexual orientation, disability or membership of the Traveller community. This rule will be strictly enforced and is viewed very seriously with potential criminal liabilities arising there from.
- 16.7 It is a disciplinary offence to access, download, save, circulate or transmit any indecent, obscene, child pornographic or adult pornographic material.
- 16.8 If an employee is downloading pornographic images within view of a colleague or forwarding those images to a colleague, this may result in harassment or sexual harassment by offended parties. Such incidents should be reported to the relevant line manager and the Head of Information Systems. Apart from any potential offence caused and the inappropriateness of such activity, Kilkeny County Council may be vicariously liable for any claims arising from such behaviour.
- 16.9 Because of the serious criminal implications of accessing child pornography, any employee found to be accessing such information may be dismissed and the matter referred to An Garda Síochána. Furthermore, should an employee be prosecuted under the Child Trafficking and Pornography Act, 1998, by engaging in such activities outside the remit of the workplace, Kilkeny County Council may investigate the matter under the Council's disciplinary policy.
- 16.10 The internet must not be used to pay for, advertise, participate in or otherwise support unauthorised or illegal activities.
- 16.11 The internet must not be used to provide lists or information about the organisation to others and/or to send classified information without prior written approval.

- 16.12 Public messaging systems on the internet must not be used by staff save with the prior written permission of your line manager. Public messaging systems include user groups, chat rooms, special interest forums and bulletin boards.
- 16.13 Laptops and remote computers:  
The rules applying to use of the internet and e-mail messaging systems apply also to any laptops, tablets, remote computers, mobile phones or other electronic devices in use by the staff member and supplied by the Council. Express permission must be obtained from the relevant authority to remove such equipment from Kilkenny County Council premises. All such equipment will be subject to the same monitoring procedure as that which is retained on-site.

## 17. TELEPHONE USAGE

- 17.1 Access to telephones is intended for Kilkenny County Council purposes only. While reasonable making and taking personal calls is not strictly prohibited, staff are encouraged to keep this to a minimum level. Kilkenny County Council monitors the use of the telephone system. Departmental heads will be supplied with details of the usage of phones within their departments.
- 17.2 Staff should be aware that when making calls, that mobile to mobile and land line to landline are cheaper options than mobile to landline or landline to mobile.
- 17.3 Telephone users are required to answer telephone calls in a courteous and efficient manner, identifying themselves by name and department.
- 17.4 All staff are required to be helpful and provide as much information as possible to telephone callers
- 17.5 If it is not possible for a staff member to fully answer a telephone query, the offer should be made to return the call with the outstanding information within a stated time period - preferably on the same working day.
- 17.6 If a message is received at the office indicating that calls have been received while absent, it is expected return calls are made on the same day if possible and otherwise on the next working day.
- 17.7 If it is necessary to transfer a call to a colleague, including those at remote offices, it is required that all such calls are introduced in advance of call transfer taking place.
- 17.8 Where work groups/departments utilise "direct lines numbers" and "hunt groups" these numbers should be publicised on all documentation, advertisement and through our web sites.
- 17.9 Staff who are included in hunt groups must familiarise themselves with the correct procedure for logging in/out of the group.
- 17.10 The voicemail must be maintained by the telephone users and the users are required to check their voicemail mailboxes and to respond to messages regularly on a daily basis.
- 17.11 The use of call forward and call divert services on the telephones should be used appropriately and under no circumstances should they be used to avoid answering calls.

- 17.12 In cases where staff members are out of the office or are not available due to meetings etc., calls should be forwarded to a phone that is attended by another staff member and only failing this to a voice message.
- 17.13 In cases where voice messages are used, the message should clearly indicate the date, duration of absence etc and an alternative contact in the event of an urgent message.
- 17.14 Although courtesy is required of each staff member in dealings with telephone callers, appropriate line managers are available to assist and advise as to the correct course of action in cases of abusive telephone calls.

## **18 MOBILE PHONES**

- 18.1 Where an employee's supervising officer certifies that by virtue of the duties assigned to that employee on behalf of Kilkenny County Council, the employee is regularly absent from his / her office base and that there is a requirement that the employee is contactable, and provided that provision is made in the departmental annual budget, the Council may provide the employee with a mobile phone for use as part of his/her employment. Approval in respect of the provision of a mobile phone is strictly reserved to the Director of Services and will be supplied through Corporate Affairs.
- 18.2 Mobile phones which are supplied with "mains charger" should be kept charged and available for use.
- 18.3 Mobile phones are supplied with protective covers. These covers should be used as they reduce wear and tear, prolong the life of the phone and prevent accidental damage
- 18.4 Employees who by virtue of their duties and their post are normally required to be contactable after normal hours are required to be contactable by the mobile phone.
- 18.5 Where email enabled or smart phones are provided to employees they will be provided with an appropriate lock code and screen timeout to prevent unauthorised access to the device.
- 18.6 The installation of any software/applications on smart phones or any other device can only be installed by authorised IS staff.

## **19. USE OF MOBILE PHONES WHILST DRIVING**

- 19.1 It should be clearly understood that every person, who has control of a mechanically propelled vehicle, is personally responsible for his/her own actions in the management and control of that vehicle (Road Traffic Act, 1961 and subsequent amendment). A hand-held device, in the context of Mobile Phone/Two-way Radio is defined as something that "is or must be held at some point during the course of making or receiving a call". This means that a person holding a phone (including between his/her ear and shoulder) whilst driving, is breaking the law.
- 19.2 Kilkenny County Council's employees should not use a Mobile Phone (either hand-held or hand-free) or Two-way Radio whilst driving. This also applies when a vehicle is stopped in traffic.
- 19.3 If in possession of a Mobile Phone/Two-way Radio, a driver must store/keep the said Mobile Phone/Two-way Radio out of his/her own reach whilst the vehicle is in motion.

- 19.4 Any fellow employee, accompanying a driver in a vehicle, may answer/use a Mobile Phone/Two-way Radio at any time whilst a vehicle is in motion, but should not pass the Mobile Phone/Two-way Radio onto the driver unless the vehicle is stopped and safely parked with the ignition turned off.
- 19.5 To facilitate emergency communication, a driver of a vehicle should arrange with his/her line manager or fellow employees to leave a message on his/her Mobile Phone/Two-way Radio, to ring the caller back (return the call), if urgent.
- 19.6 To answer a Mobile Phone/Two-way Radio call, whilst driving without a companion, a driver must wait until a suitably safe opportunity, to pull-over and park his/her vehicle in a safe manner, arises and then complete the manoeuvre.
- 19.7 A driver must turn off the ignition when the vehicle is safely parked and only then should he/she use the Mobile Phone/Two-way Radio in his/her possession.
- 19.8 The Mobile Phone/Two-way Radio must be replaced, out of reach, in the vehicle when the driver is finished using it. The driver can then restart the vehicle and move on when it is safe to do so.
- 19.9 The above procedure must be followed/repeated every time the use of a Mobile Phone/Two-way Radio is necessary.
- 19.10 Where possible, the duration of Mobile Phone/Two-way Radio calls should be kept short and to the point. Planning and organisation of work should be done, within reason, before leaving the office, depot or place of work.
- 19.11 Kilkenny County Council will not be responsible, under any circumstances, for penalties incurred resulting from mobile phone use.
- 19.12 Mobile phones supplied to employees under this policy are the property of Kilkenny County Council and are recorded as assets. Employees are responsible for the security of this equipment and should take all available precautions against loss, theft and misuse.
- 19.13 Mobile phones supplied to employees under this policy are only to be used for the business of Kilkenny County Council, therefore, employees should not permit any unauthorised use of the equipment. Employees should make use of the PINs and other security features of the phone to ensure that in the event of loss or theft, unauthorised use of the phone is prevented.
- 19.14 Any loss or damage to the equipment should be reported to the Corporate Affairs Department immediately. Employees will be responsible for replacement costs where this is required as a result of neglect or non compliance with this policy.
- 19.15 The cost of making calls from and to mobile phones is significantly greater than using "land-lines", and, therefore, the use of mobile phones should be kept to a minimum. Prolonged use of mobile phones is discouraged. Mobile phones should only be used for short messages in circumstances where a land-line alternative is not available. The principle behind the provision of mobile phones to employees is "urgent contact", therefore, the Council do not envisage any circumstance where regular and prolonged use of the equipment is necessary.
- 19.16 Employees supplied with mobile phones should avoid causing annoyance at gatherings where ringing mobile phones are inappropriate, e.g. Court Sessions, Meetings, Training Courses etc. Employees should ensure that mobile phones are turned off or on "silent alert". Any penalties imposed for non compliance shall be the responsibility of the employee and not Kilkenny County Council.

- 19.17 Kilkeny County Council recognise that the provision of this facility will involve a minimum amount of personal use. Where an employee uses his/her mobile phone to make personal calls, payment, including vat on all charges, for such calls, is the responsibility of the employee and must be paid for by the employee. Occasional and reasonable use of personal mobile phones is permitted provided that this does not interfere with the performance, work duties, responsibilities and customer service of the Council, at the discretion of your line manager.
- 19.18 All employees must note that mobile phone use is subject to central monitoring and recording. Line managers will be supplied with details of the usage of mobile phones within their departments / sections.
- 19.19 In circumstances where an employee, who has been supplied with a mobile phone under this policy, is assigned to duties where a mobile phone is no longer required, the employee shall, on assuming his / her new duties, surrender the mobile phone to the Corporate Affairs Department.
- 19.20 Where an employee who has been supplied with a mobile phone under this policy, resigns from the service of Kilkeny County Council, the employee shall surrender the mobile phone to the Corporate Affairs Department and pay whatever charges may be outstanding in respect of personal use of the phone.

## **20. DIGITAL CAMERAS AND CAMERA PHONES**

- 20.1 Council digital cameras and camera phones are to be used for the purposes of conducting Council business and usage must be in accordance with the general terms and conditions of this communication policy.
- 20.2 Photographic or video images taken, stored and transmitted from camera phones or digital cameras must comply with the terms and conditions set out under email and internet usage.
- 20.3 Digital camera users should bear in mind that most of these devices contain removable storage media in the form of memory cards. The use of these cards falls under the terms set out throughout this policy. Camera users must bear in mind privacy laws and the right to privacy of individuals. As a guideline, users should always seek permission of individuals if they are identifiable in a photograph. Such photographs are also regarded as personal information within the meaning of the Data Protection Acts and as such should be accorded the same status as other electronic personal data.

## **21. OTHER ELECTRONIC TOOLS**

- 21.1 For security reasons, the use of modems is forbidden in Kilkeny County Council offices unless authorised by the IS Department.
- 21.2 Other electronic equipment (e.g. fax machines, photocopiers etc.) remain the property of Kilkeny County Council and as such must be treated with care and used only for Kilkeny County Council purposes. Abuse of equipment for personal use or gain may result in use of the disciplinary procedures and in disciplinary action.

## **22. ENFORCEMENT**

- 22.1 Kilkeny County Council reserves the right to put software and/or hardware in place to assist with the enforcement of the policies set out in this document. This software will undertake automated monitoring of all IT activities on the Council's IT Equipment.

22.2 Kilkeny County Council retains the right to access and examine any files or e-mails where there may be evidence that the network or other computer facilities are under threat or these guidelines have not been complied with or as required by law. The permission of the Head of Information Systems, or his/her nominee, will be required to access or examine files or e-mails.

**23. INFRINGEMENTS OF POLICY**

23.1 Any act by a staff member/user in contravention of this policy will be regarded as a disciplinary matter and Kilkeny County Council reserves the right to take such action as it deems appropriate against users who violate any conditions of this policy document up to and including dismissal in accordance with the Council's Grievance and Disciplinary procedure. Serious breaches of policy may result in criminal or civil charges being brought against individuals.

23.2 This policy may be amended from time to time as is deemed necessary and employees will be informed accordingly.

