

Title	Information and Communication Technology (ICT) Acceptable Usage Policy
Date	20 th January, 2020
Approved By	LWETB Meeting 20 th January, 2020
For Review By	LWETB Board

LWETB Information and Communication Technology (ICT) Acceptable Usage Policy

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Definitions

“Must”, or the terms “required” or “shall”, refer to an absolute requirement of the policy.

“Must not”, or the phrase “shall not”, refer to statements which are an absolute prohibition of the policy.

“Should”, or the adjective “recommended” refers to a statement that should be applied. In certain circumstances, there may exist a valid reason to ignore a particular item. In this case the full implications must be understood and carefully weighed before choosing a different course.

“Should not”, or the phrase “not recommended” mean the specified behaviour should not be performed. There may exist valid reasons in particular circumstances when the particular behaviour is acceptable, but the full implications should be understood and the case carefully weighed before implementing any behaviour described with this label.

1. Scope

This policy applies to any person authorised to have access to LWETB information systems. This includes but is not limited to LWETB employees, contractors to LWETB and consultants engaged by LWETB hereafter collectively referred to as users for the purpose of this policy.

This policy applies to all electronic communications systems and resources provided by LWETB including, but not limited to internet, intranet, email, personal computers and laptops, tablets, iPads, notebooks, digital cameras, PDAs (personal digital assistants) telecommunication systems and devices, cabling and cloud storage. It is the responsibility of both management and staff of LWETB to ensure that all such tools are used in accordance with this policy.

All users must use common sense and shall 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 LWETB under many enactments including, but not limited to the following:

- Child Trafficking and Pornography Act 1990, 1998 and 2004
- Companies Act 2014
- Copyright and Related Rights Act 2000, 2004 and 2007
- Data Protection Act 2018
- Education and Training Boards Act, 2013
- Employment Equality Acts, 1998
- Equal Status Acts, 2000 and 2012
- Freedom of Information Act 2014
- General Data Protection Regulation (GDPR)

2. General Computer Usage Regulations and Guidelines

2.1 Contents

All electronic content created or received using equipment or services provided by LWETB will be regarded as the property of LWETB.

2.2 Equipment and Resources

All equipment provided by LWETB for use by staff remains the property of LWETB. Employees must ensure if any such equipment including but not limited to laptops, mobile telephones, tablets, etc. are removed from

LWETB's premises they must be kept in a secure environment by the user. If a desktop computer/device is to be removed by a staff member from LWETB premises, prior authorisation must be sought from the staff member's line manager.

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.

Users must not engage in conduct that interferes with other's use of shared computing resources and/or the activities of other users.

2.3 Security and Passwords

Users must not utilise any other person's access rights or attempt to gain access to another person's resources or data. In exceptional circumstances where access is required, it must be requested in writing by the relevant Manager to LWETB ICT Support. Users must not attempt to bypass or probe any security mechanisms governing access to ICT resources, or otherwise attempt to gain unauthorised access to them.

No staff member may misrepresent himself / herself as another individual. This includes using another staff member's username and password.

Passwords must remain confidential to each user and must not be relayed to any other person. LWETB ICT Support may provide the option to alter any passwords as necessary. Each user carries sole responsibility for security access to his/her computer, laptop or any other electronic device.

Passwords must not be shared, especially where ICT resources are specific to a particular PC or device. If a staff member needs to share a resource with a colleague, they must contact ICT support to arrange access to the other staff member. Lazy sharing of passwords exposes the entire resources and data of the sharer's PC to the colleague.

LWETB have an enforced password change policy in places to which all users must adhere. this.

2.4 Software Ownership

All software which is provided by LWETB to a user is licensed and owned by LWETB and may not be downloaded, stored elsewhere or transferred to another individual by any employee of LWETB.

Under no circumstances should software be downloaded from the Internet or installed from any other source and used on LWETB's equipment without the prior permission of LWETB ICT Support. Any breach of this requirement may result in disciplinary action.

2.5 Confidentiality

Users must maintain confidentiality while carrying out their duties and while on LWETB business.

2.6 Privacy

It should be understood that LWETB does not provide users with a guarantee to the right to privacy or confidentiality in connection with the use of any technology and users should have no expectation of privacy in the use of LWETB's ICT resources.

2.7 Monitoring Policy

LWETB reserves the right and intent to monitor email content and Internet usage to ensure technology is being used properly and to protect LWETB and its 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 GDPR.

Monitoring may be carried out on all electronic data including all web site, desktop and mobile content. This list is not exhaustive. Monitoring activities may change over time. In addition, LWETB may monitor all equipment as required, including but not limited to, monitoring for the receipt, transmission and storage of inappropriate images and content.

2.8 Legal Implications of Storing Electronic Information

All information held in electronic format is potentially subject to legislative requirements, as is information held in paper format. These requirements include but are not exclusive to Copyright and Data Protection legislation and the liabilities which may result from breaches of such legislation. A copy of any information and data created and stored by LWETB staff can potentially be requested under Data Protection and Freedom of Information legislation, and LWETB may be obliged to provide it to the requester.

Personal data should contain only information relevant to the individual and its use and storage limited to the purpose it was originally gathered for. Data must not be used for any other purpose. This data must be maintained in an accurate format and must be corrected if the user staff member becomes aware of inaccuracies.

It is an offence to alter or falsify documents/records 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. Employees should be aware that merely deleting information may not remove

it from the system and deleted material may still be retrieved and reviewed by LWETB and / or disclosed to third parties.

LWETB ICT equipment and resources must not be used for the receipt, transmission, storage, generation or creation of personal material, data and records that is unrelated to their work as an LWETB staff member.

Only LWETB ICT equipment and resources must be used for the receipt, transmission, storage, generation or creation of data, information and records that relate to LWETB business, unless otherwise authorised by your line manager.

2.9 Material of obscene or offensive nature

Users are subject to all legislation regulating the use of LWETB's IT / Communications resources. Users must not store, download, upload, circulate or otherwise distribute material containing, but not limited to:

- 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 equality legislation.
- Any material of a pornographic nature.
- Any material of a paedophilic nature.
- Material containing offensive or foul language.
- Any content prohibited by law.

If an employee receives any offensive, , harassing or intimidating messages via email or other computer / electronic sources the employee should in the first instance immediately bring it to the attention of their line manager, who if required should contact LWETB ICT Support.

2.10 Virus Protection

Viruses can enter an organisation a number of different ways:

- Unscanned digital storage media (e.g. CDs, DVDs, user's personal electronic devices, USB memory sticks) being brought into the organisation.
- Emails or attachments.
- Downloaded data, files and programs from the Internet.

Individuals using electronic information must be familiar with and comply with the LWETBs procedures governing usage of USBs, SD Cards, CDs and other software. It is the personal responsibility of each individual to take

precautions to ensure that viruses are not introduced into any LWETB resources or system with which they come into contact.

No computer user may interfere with or disable the Anti-Virus software installed on their desktop PC. Any virus, virus error messages or security incidents must be reported immediately to LWETB ICT Support.

[Do not forward a virus warning to anybody else.](#)

Such warnings are usually hoaxes and are designed to persuade users to delete systems files on their PC; forwarding such a hoax could make LWETB liable for damage to computer systems outside LWETB.

3. Email

While email brings many benefits to LWETB in terms of its communications internally and externally, it also brings risks to the organisation, particularly where employees use it outside of their LWETB roles.

Employees are provided with an LWETB email account to facilitate the sending and receiving of business messages between staff, learners and between LWETB and its clients, its suppliers and the outside world.

All work communications should be done using the organisation email only.

Every employee has a responsibility to maintain LWETB's image, to use electronic resources in a productive manner and to avoid placing LWETB at risk for legal liability based on their use. It should be remembered that the contents of email are considered official records for the purpose of legislation such as the Freedom of Information Act, National Archives Act, and GDPR, and the general public may request access to messages under such legislation.

3.1 Risks Associated with Emails

- As previously mentioned, emails can contain viruses in the form of attachments and links within messages that may be seriously damaging to LWETB's systems. Users should be aware of the risk of viruses being sent in email messages or attachments.
- Users should be vigilant for unsolicited or unexpected emails and never open attachments or click on links contained in emails from addresses or people they do not recognise.
- Email attachments may belong to others and there may be copyright implications in sending or receiving them without permission.
- It has become increasingly easy for messages to go to persons other than the intended recipient, particularly with the over-hasty or inattentive use of the address autocomplete function. If the contents of the message

are confidential or commercially sensitive, this could result in a breach of LWETB's security and confidentiality.

- Email is speedy and informal by nature, and messages written in haste or written carelessly are often sent instantly and without the opportunity to check or rephrase. This could give rise to legal liability on the part of LWETB.
- An email message may legally bind LWETB contractually in certain instances without the proper authority being obtained internally.
- Emails should be regarded as potentially public information which carries a heightened risk of legal liability for the sender, LWETB, the recipient and the organisations for which they work.
- Email attachments containing confidential or sensitive information destined for recipients outside of LWETB should be encrypted.

3.2 Rules for Email Use

The content of any email 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 emails 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 GDPR and Employment Equality legislation.

In order to avoid or reduce the risks inherent in the use of email by users, the following rules must be complied with:

- Corporate email is provided for LWETB business purposes.
- LWETB's email disclaimer or a link to same must appear at the end of every email sent from your LWETB address to an external address.
- The LWETB name is included in the signature of all staff members and is visible to all mail recipients, reflecting the image and reputation of the organisation.
- Language and content of email messages must be appropriate and professional.
- Correct spelling and punctuation should be maintained in all communications.
- Occasional and reasonable personal use of email is permitted provided that this does not interfere with the performance, work duties, responsibilities and customer service of LWETB, and that it does not support any business other than that of LWETB and otherwise complies with this policy.

- An email 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 emailing use of indecent, obscene, sexist, racist, harassing or other inappropriate, offensive or lewd comment or any other such content likely to cause offence, whether in written form, cartoon form or otherwise is forbidden.
- Emails 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.
- Distribution lists may only be used in connection with LWETB business.
- Documents prepared internally for the public or for clients may be attached via email. However, excerpts from reports other than our own 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 or supplier should not be released to another customer or supplier without prior consent of the original sender. If in doubt consult your line manager. If you receive any offensive, unpleasant, discriminatory, harassing or intimidating messages via the email system you must immediately inform your manager or the HR manager.
- Chain mails, spam, virus warnings or other such unsuitable information must not be opened or forwarded internally or externally. Contact ICT services immediately for further advice.
- Do not subscribe to electronic services or other contracts and non-business related services on behalf of the LWETB unless you have express approval from your line manager and from LWETB ICT Support, to avoid the potential release of confidential LWETB information to third parties and to avoid possible interference with the communications systems.
- LWETB reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the LWETB electronic mail system for any purpose or where it deems necessary without notice given to the employee.
- Notwithstanding LWETB'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 email messages that are not sent to them, or that are sent to them in error. 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.

4. The Internet / Intranet

Access to the Internet / Intranet is provided to staff as necessary solely for the purpose of conducting LWETB's business. All information and uploaded content on the intranet is the property of LWETB.

4.1 Rules for Internet use

- LWETB's internet connections are intended for activities that either support LWETB's business or the professional development of employees.
- Internet usage may be monitored on a systematic basis and as deemed necessary by LWETB.
- Unauthorised downloading of any software programmes or other material is forbidden.
- It is a disciplinary offence to access, download, save, circulate or transmit any 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 therefrom.
- It is a disciplinary offence to access, download, save, circulate or transmit any indecent, obscene, child pornographic or adult pornographic material. Any display or forwarding of such images to either a colleague or any third party may constitute harassment or sexual harassment of the offended parties. Such incidents should be reported to the relevant Manager and HR manager. Apart from any potential offence caused and the inappropriateness of such activity, LWETB may be vicariously liable for any claims arising from such behaviour.
- Because of the serious criminal implications of accessing child pornography, any employee found to be accessing such information may be summarily 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, LWETB may find it fitting to invoke disciplinary action.
- The Internet must not be used to pay for, advertise, participate in or otherwise support unauthorised or illegal activities.
- The Internet must not be used to provide lists or information about LWETB to others and/or to send classified information without prior written approval.
- While the use of any of the multitude of online learning platforms or Virtual Learning Environments (VLEs) currently available online is not

prohibited, teaching staff should exercise great care:

- not to enter or permit the entering of the personal data of learners or students on any such platform, or;
 - to encourage the downloading of related apps to students' personal devices, or;
 - to permit the use or participation in any text/audio/video 'chat' facility.
- The security and privacy standards of such platforms vary greatly, and it is beyond the resources of LWETB's ICT Support and Data Protection sections to audit or pre-screen them. It shall be the teacher's responsibility to thoroughly research the content, capabilities and functionality of such programs before their introduction to the classroom, and to supervise their proper usage.

5. Telephone Usage

Access to telephones is intended for LWETB business purposes only. While reasonable making and taking personal calls is not strictly prohibited, staff are encouraged to keep this to a minimum level. LWETB reserves the right to monitor the use of the telephone system and to access call logs.

Some mobile phones are provided to staff members for LWETB business. Personal calls from such phones are permitted but any calls outside the inclusive monthly tariff must be paid for by the staff member. For more specific information, see LWETB's Mobile Phones Usage Policy.

During office hours, the taking and/or making of calls on personal mobiles is not strictly prohibited. However, staff are encouraged to keep such calls to a minimum.

Due to the numerous associated risks, the use of public Wi-Fi hotspots is not recommended when using mobiles and other connected devices.

6. Other Electronic Tools

Other electronic equipment (e.g. photocopiers, printers, fax machines etc.) remain the property of LWETB and must be treated with care and used only for LWETB purposes. Abuse of equipment for personal use or gain may result in the use of the disciplinary procedures and in disciplinary action.

7. Plagiarism

Users should not plagiarise (or use as their own, without citing the original creator) content, including words or images from the Internet. Users should not misrepresent themselves as the author or creator of something found on-line. Research conducted via the Internet should be appropriately cited, giving credit to the original author.

8. Social Media

LWETB recognises the presence and value of social media tools which can facilitate communication, learning and collaboration. When using these tools, users are expected to communicate with the same appropriate and professional conduct online as offline.

Site administrators and other users posting material should consider rules and legislation governing copyright, intellectual property, privacy, confidentiality and equality before posting.

Users should be mindful of their privacy settings and postings on personal social platforms. Employees should note that the use of social media in a work setting is subject to the same guidelines and rules as previously outlined in this policy. For more specific information, see LWETB's Social Media Policy.

The same rules governing the appropriate use of email also apply to the use of Chat facilities on any Social Media platform, or as part of any LWETB ICT resource, e.g. Microsoft Teams, Skype, Yelp, etc. As such functions are even more informal and instantaneous in nature than email, extreme discretion is advised in engaging in communications on such platforms.

9. Removable Media

No non-LWETB approved removable media such as CD, DVD, USB drive or SD cards etc. that contain data or files may be used without consulting with LWETB ICT Support.

10. Encryption

All data stored on LWETB mobile devices must be protected by encryption software. It is the responsibility of the staff member to ensure that the data is encrypted and the encryption software is up to date. This responsibility includes LWETB data stored on personal devices. Only encryption software recommended by LWETB ICT Support should be used.

11. Infringements of Policy

Failure to comply with the policy and guidelines outlined above may result in:

- The withdrawal of email and Internet facilities from the section, staff or members involved;

- Initiation of disciplinary procedures and disciplinary action, up and to including dismissal.
- Serious breaches of the policy may result in initiation of criminal or civil proceedings.

12. Responsibilities

Owner	Responsibilities
Director of Organisational Support & Development	Revisions and updates to the policy
Senior Management Team	Review the Policy
LWETB Board	Approval of the Policy
All persons who use or have access to LWETB ICT systems and equipment	Responsible for implementation of the policy.

Appendix 1: Harassment

Harassment is defined in section 14A (7) of the Employment Equality Act as any form of unwanted conduct related to any of the discriminatory grounds (*below*) which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

The Employment Equality Acts prohibit discrimination on the basis of 9 different grounds (*with reference to Statutory Instrument SI 208/2012*):

1. Gender: whether a man, woman, (this also includes transgender).
2. Civil status: whether single, married, separated, divorced, widowed, in a civil partnership within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 or being a former civil partner in a civil partnership that has ended by death or been dissolved.
3. Family status: This refers to the responsibility as a parent or as a person in loco parentis in relation to a person under 18, or as a parent or the resident primary carer of a person over 18 with a disability which is of such a nature as to give rise to the need for care or support on a continuing, regular or frequent basis.
4. Sexual orientation: heterosexual, bisexual or homosexual.
5. Religion: includes different religious background or outlook, (including absence of religious belief)
6. Age: applying to all people above the school leaving age
7. Disability: which is broadly defined as including physical, sensory, learning, intellectual disability, mental illness and a range of medical conditions
8. Race: people of different race, colour, nationality or ethnic or national origins.
9. Travellers: members of Ireland's traveller community. "Traveller community" means the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions including, historically, a nomadic way of life on the island of Ireland.

Discrimination has a very specific legal definition, being defined as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation under any of the nine grounds.

In summary, harassment is any form of unwanted conduct related to any of the discriminatory grounds that could reasonably be regarded as offensive or humiliating. Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature. In both cases it is the conduct, which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the

recipient. In both cases the unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material. Harassment and sexual harassment are subjective; this means that it is the perception of the victim that determines if the conduct is improper.

In addition, equality legislation does not require a repetition of discrimination in order to constitute an offence. This means that complaints of harassment or sexual harassment can be brought on the basis of a once-off incident or more than one incident.

Harassment/sexual harassment that is not linked to one of the discriminatory grounds is not covered by the Employment Equality Act.

Examples of harassment on any one of the nine grounds set out above, may include, but are not limited to:

- Treating people less favourably, or subjecting them to ridicule
- Undermining behaviour
- Demeaning and derogatory remarks, name-calling
- Isolation, non-co-operation or exclusion within the workplace
- Production, display or circulation of offensive material
- Written forms of harassment – e.g. faxes, SMS messaging, emails, notices, posting messages through social media or any other ICT or electronic device/medium
- Modifying images, recording digital images for the production and or display on any form of ICT or electronic device/medium (without consent)
- Intimidatory harassment – e.g. gestures, posturing or threatening poses

Examples of sexual harassment may include, but are not limited to:

- Sexual gestures
- Suggestive or indecent remarks or questions
- Unwanted sexual comments and jokes
- Leering
- Unwanted physical conduct such as pinching or inappropriate touching
- Displaying sexually suggestive and/or pornographic correspondence/images including faxes, emails, websites, SMS messaging, posting messages through social media or any other ICT or electronic device/medium which uses demeaning terminology which is gender specific.
- Modifying images, recording digital images for the production and or display on any form of ICT or electronic device/medium (without consent)

Source: Harassment/Sexual Harassment Prevention Policy – Complaint Procedure for ETB Staff February 2018