EMAIL AND INTERNET USE BY STAFF IN CATHOLIC SCHOOLS

INTRODUCTION

Electronic communication facilities are made available to Catholic school employees to assist them in conducting the business of the school in a manner that is consistent with the values and beliefs of the Catholic Church. Through exercising appropriate moral judgement in the use of email and the internet, employees will effectively witness the vision of the Catholic school as an educating Christian community.

Email and Internet facilities are part of a school's information and communications system and are owned by the school. The school has a right to determine who has access to these systems so as to ensure that they are used properly and efficiently, and a responsibility to protect the school's employing authority from potential problems resulting from misuse.

PURPOSE

The purpose of these guidelines is to provide guidance to Catholic schools in developing their own policy on Email and Internet use by staff. While the primary focus of the guidelines is on the use of Email and the Internet, they also apply to other methods of electronic communication such as facsimile and voice mail. A well-developed school policy will enable school staff to be clear about and observe in good faith the legal, ethical and professional expectations that underpin the availability and use of these resources.

PRINCIPLES

Within any school community there will exist a range of diverse opinions and interpretations concerning the appropriate use of Email and Internet resources. Encouraging discussion and obtaining input from school employees and others should help forge a deeper understanding of the issues involved and lead to greater acceptance and support of the policy once promulgated. Ultimately however, the content of the policy is the responsibility of the employer.

POLICY

Schools are encouraged to develop a policy, so as to ensure that network facilities are used properly and efficiently and that both employer and employee are afforded maximum protection from problems such as error, fraud, defamation, sabotage, extortion, breach of copyright, harassment, accessing of inappropriate websites, privacy violations and service interruption. The school and the employing authority have substantial legal obligations in these areas and can be held vicariously liable for improper use.
GUIDING PRINCIPLES

These guidelines have been developed in consultation with the Victorian Independent Education Union.

Developing a Policy
Any policy that is developed should cover in some detail (but not necessarily be limited to) the issues outlined below.

**Appropriate/Inappropriate Communications.** The policy should be explicit about what constitutes appropriate and inappropriate use of Email and the Internet. Examples of appropriate and inappropriate use can be found in Appendix 1 to this document.

In particular, the policy should be clear about the following:

**Confidential Information.** Care should be taken with confidential information when being sent or distributed via email. Email can easily be copied, forwarded, saved, intercepted and archived and may be required to be produced as evidence in legal proceedings. Use ‘blind cc’ when sending email to a distribution list to protect the privacy of contacts in the list.

**Copyright.** The copyright material of third parties, including software, database files, documentation, cartoons, articles, graphic files, text and downloaded information must not be distributed through Email or the Internet without specific authorisation to do so.

**Defamatory Comments.** Email and the Internet must never be used to transmit defamatory, offensive or inappropriate material. Email is neither private nor secret. The audience of an intemperate communication may be unexpected and extremely widespread. Gossip or derogatory personal comments are not acceptable elsewhere in the workplace and will not be acceptable on the network.

**Harassment.** Email must not be used to convey messages that are harassing, threatening or obscene, nor content that could be construed as being discriminatory, offensive or disruptive.

Messages that deal with material that could be perceived as offensive or provocative on the basis of political or religious beliefs, sex, race, age, national origin, disability or sexual orientation must not be transmitted, downloaded or stored.

Email messages can easily be misconstrued. Care must be taken with the use of sarcasm and humour. Unlike phone or face to face exchanges the recipient cannot rely on the inflection, tone of voice, gesture or verbal feedback to clarify meaning. Accordingly, words and attached documents should be carefully chosen and expressed clearly.

**Illegality.** Email and Internet facilities are not to be used in any manner contrary to law or likely to contravene the law. In addition to possible breaches of the laws of copyright, defamation, harassment and discrimination which are outlined in these guidelines, staff should also be aware that Email is subject to all other laws. These include contempt of court, creation of contractual obligations, criminal laws and workplace relations law.
**Non-business Use.** As non-business use is a matter for the school's discretion, the policy should be clear about the conditions and circumstances under which Email and the Internet can be used for purposes other than school business. Generally, limited personal use will be acceptable provided it does not interfere with a person's employment obligations. Staff should be made aware that unreasonable or excessive personal use may lead to disciplinary measures being taken.

**Use by Union Representatives.** Reasonable use by the designated union representative in the school to carry out union responsibilities should be approved by the school authority.

**RECOMMENDED PROCEDURES**

The policy should contain an outline of procedures:

- to ensure that viruses are detected and not distributed;
- in the event of an employee receiving an unwanted, inappropriate or offensive Email;
- for approving external school Emails;
- in the event an employee does not understand any part of the policy (specify in the policy the person the employee should contact).

**Monitoring**

The use of Email and the Internet by staff is intended to facilitate learning and teaching by providing access to resources and people around the world. As it is incumbent on the employing authority to ensure appropriate usage of the electronic communicating systems, a school has the right to access, view and monitor a staff member’s incoming and outgoing messages and site usage. Staff need to be aware that their Email and Internet usage is not private and may be monitored. Any further privacy issues should be dealt with by the school's Privacy Policy.

A policy should outline how a school intends to monitor staff compliance with its rules relating to acceptable usage of Email and the Internet. It should be pointed out that the main reasons for implementing a monitoring process are to ensure optimum productivity, as a safeguard against misuse and to protect the rights and safety of staff. The policy should refer to action that will be taken where a breach of the policy is detected. In determining any disciplinary action schools should take into account employers’ and employees’ rights and responsibilities under relevant industrial legislation. Some examples of disciplinary action could include:

- a request to explain the circumstances surrounding the breach;
- if the breach occurred without good reason, receipt of an official warning and personal file annotation;
- attendance at appropriate counselling sessions;
- requiring specific approval for all email and Internet access.

Staff should be advised that serious or repeated breaches of the policy may lead to termination of employment.
Disclaimer
It is appropriate for all Email sent externally to have a disclaimer of some type attached. A sample disclaimer is provided below and could be modified to suit a specific school's needs:

This Email and any attachments may be confidential and, if you are not the intended recipient, you must not disclose or use the information in this mail. If received in error, please notify us immediately and delete the Email and all copies. The school does not guarantee that this Email is virus or error free. The attached files are provided and may only be used on the basis that the user assumes all responsibility for any loss, damage or consequence resulting directly or indirectly from the use of the attached files, whether caused by the negligence of the sender or not. The content and opinions in this Email are not necessarily those of the school.

Compliance and Review
A copy of the policy must be provided and explained to all staff. The policy should contain a clause specifying that use of the school's Email and Internet network becomes an employee's acknowledgment of and consent to the terms of the policy. Procedures should be in place to ensure the policy is received by all new staff and reminders regarding the policy should be circulated to all staff on a regular basis. Because of the rapidly changing nature of electronic communication, the policy should be reviewed on a regular basis.

EXPECTED OUTCOMES

Catholic schools will have in place a policy to direct appropriate use of email and internet and other electronic communication such as facsimile and voice mail by staff.

Such a policy will ensure network facilities are used properly and efficiently and that both employer and employee are afforded maximum protection from unscrupulous use.

REFERENCES


APPENDIX 1

Appropriate Communications. The following use of Email and the Internet could include (and is not limited to) the following:

- Curriculum-related and educational information and resources
- Student welfare and pastoral issues (except confidential information)
- Draft documents for discussion
- Request for information
- Copies of documents previously published/distributed
- Committee meeting arrangements
- Non-business use as approved by the school authority
- Reasonable use by the designated union representative
Inappropriate Communications. It would be deemed to be an inappropriate use of Email or the Internet if these communication channels were used for purposes that:

- are contrary to law or likely to contravene the law. This includes the laws of copyright, defamation, harassment (bullying), discrimination, (sex, race, disability) and confidentiality, as well as all other laws, such as contempt of court, creation of contractual obligations, criminal laws and workplace relations law;
- bring the reputation of the school into disrepute.
- have the potential to place the school in an embarrassing or compromising position. Such activities might include engaging in commercial activities, product advertisement, political lobbying and the creation of false or misleading information;
- download, store, create, send or print files or messages that are deemed to be profane, obscene, or that use language that offends or tends to degrade others;
- include bulk email content which may cause congestion of the network.
- disclose personal and/or confidential information.
- as an employee of the school, publishing personal, confidential or embarrassing information relating to the school on a personal website visible outside the school.

Draft Review: July, 2009

Implementation Date: December, 2009

Review Date: December, 2012