

Governance and Corporate Leadership

GL18 Councillor Email Policy



24 May 2017

This policy was adopted by Council to set governing principles in place that align the strategic direction of the organisation with Goal 5 – Effective Leadership and Governance.

Objectives

The purpose of this policy is to provide Councillors with clear guidelines for email communication for Shire of Augusta Margaret River related business.

Policy

Electronic mail (email) usage is an important part of the Shire of Augusta Margaret River's communication processes. The appropriate management of this communication tool has a significant impact on the organisation in terms of the security of its information resources, its overall efficiency/effectiveness and meeting statutory compliance.

From a statutory compliance viewpoint, all email communication from Councillors to and from the Shire of Augusta Margaret River should be considered as being required to be kept as a permanent State record.

Email documentation forms part of the official business and operations of the Shire of Augusta Margaret River. As such, email is governed by legislation at the Federal and State level. These include, but are not limited to, the Local Government Act 1995, State Records Act, Freedom of Information Act, Copyright Legislation and Equal Opportunity Legislation.

Emails sent and received contain information about business activities and are therefore evidence of business transactions in a court of law. They can be subject of legal processes such as discovery and subpoena. Records may be required by royal commissions, auditors and other statutory bodies to whom they may be subject.

Email Communication between Councillors and Staff

Email communication between Councillors and staff is to be on a strictly Council business related basis.

Requests or correspondence to and from Councillors are to be directed through the CEO in accordance with the following protocols.

1. A Councillor emails the request or correspondence to the CEO with a copy to the President or if to a Director, with a copy to the President and the CEO. Any other staff member receiving an email from a Councillor is to forward a copy immediately to the CEO and to the President.
2. The CEO, or Director, will have the emailed communication if considered to be required to be kept as a State record 'registered' with Records staff.
3. A response (interim or final) will be provided within 1 working day, with a copy to the CEO;

- The final response will be sent to the author of the request with a copy to the President and CEO. If the matter is directly related to a decision before Council for an item on the meeting agenda then a copy is to be provided to all other Councillors to ensure equality of information for decision making purposes. If this communication is a State Record then records staff are to receive a copy.

Privacy

Councillors can have a general expectation of privacy; however, they should be aware that the Shire of Augusta Margaret River may conduct regular audits on email usage and content to ensure compliance with statutory workplace requirements.

General Principles

Any messages composed, sent or received on the email facilities are, and will remain, the property of the Shire.

All Councillors have the responsibility to use the Shire's email facilities in a professional, ethical and lawful manner and not infringe the copyright or other intellectual property rights of third parties, distribute or store defamatory, fraudulent, harassing or obscene messages and files, or otherwise to engage in any illegal conduct including the use of insulting, sexist, racist, obscene or suggestive electronic mail in their roles as Councillors.

Email communication sent by a Councillor will constitute a public record, and must be composed to a standard as if the email or Internet communication was a letter to the Shire.

Councillors must use the email address set up for them by the Shire's Information Technology business unit for all Shire related issues, rather than any personal email address that they may have. These Shire email addresses should not be used for any party political, mailing list or election purposes whatsoever.

As a general guide when sending an email the author should never write or convey anything about a person or company that you do not want that person or company's legal representative to read.

Application

Responsibility for the implementation of this policy rests with all Councillors and staff. The policy is to be reviewed every three years.

Document and version control table

Strategic outcome	Corporate Plan 2014-2018 Goal 5 – Effective Leadership and Governance	
Responsible Directorate	CEO	
Authority of original issue	Council	
Date of original issue	Council meeting date 27 August 2009	
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Date of next review	May 2020	
Document No.	N129881	
Version	Date issued	Brief description
1.0	27/8/2009	Initial Issue

2.0	23/1/2013	Full review
3.0	24/5/2017	Full review
