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## 1. Scope

- This policy applies to all staff at Expanse Learning
- This Email Policy applies to the use (for the purpose of sending or receiving email messages and attachments) of any IT facilities, including hardware, software and networks, provided by the Expanse Learning.

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## 2. Introduction

This Email Policy:

- has been developed in response to the acknowledged need for guidelines describing the acceptable use of Expanse Learning email and related services and facilities.
- will be distributed to users of Expanse Learning's email system (Office365) and related services and facilities.
- will be reviewed and if necessary, amended from time-to-time, with particular regard to the expected developments in the operational use of the system, and by reference to the development of recognised best practice.

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## 3. Purpose

To provide guidance about acceptable use, for the purpose of sending or receiving email messages and attachments, of any IT facilities, including hardware, software and networks, provided by Expanse Learning. The Policy also describes the standards that users are expected to observe when using these facilities for email and ensures that users are aware of the legal consequences attached to inappropriate use of the facilities.

The Policy establishes a framework within which users of these email facilities can apply self-regulation to their use of the facilities. The Policy is designed to advise users that their usage of facilities for email will be monitored and, in some cases, recorded. The Policy is also linked to Expanse Learning Disciplinary Procedures, and usage of email facilities in breach of the Policy may lead to appropriate disciplinary action being taken.

The Policy also specifies the actions that Expanse Learning will take in the investigation of complaints received from both internal and external sources, about any unacceptable use of email that involves the Expanse Learning facilities.

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## 4. Appropriate and Proper Use

Expanse Learning supports the appropriate and proper use of the Internet, email, and related services and facilities that is provided for authorised users.

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## 5. Acceptance of Policies and Regulations

It is a condition of use of IT and email facilities provided by Expanse Learning, by an authorised person, that the user agrees to be bound by the relevant Policies and Regulations.

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## 6. Monitoring Arrangements

Expanse Learning will maintain appropriate monitoring arrangements in relation to all Internet, email and related services and facilities that it provides, and will apply these monitoring arrangements to all users. These arrangements may include checking the contents of, and in some instances recording, email messages for the purpose of:

- Establishing the existence of facts relevant to the business
- Ascertaining or demonstrating standards which ought to be achieved by those using the facilities
- Preventing or detecting crime
- Investigating or detecting unauthorised use of email facilities
- Ensuring effective operation of email facilities
- Determining if communications are relevant to the business, for example where an employee is off sick or on holiday.

Expanse Learning may, at its discretion, apply automatic message monitoring, filtering and rejection systems as appropriate, and deny transmission of messages with content that is unacceptable in the terms of this Policy. These monitoring arrangements will operate on a continual and continuing basis, with the express aim of monitoring compliance with the provisions of the Email Policy and for the purposes as permitted by The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000.

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## 7. Disclaimers

Expanse Learning may arrange for an appropriate disclaimer to be appended to all email messages that are sent to external addresses from Expanse Learning, in order to provide necessary legal protection.

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## 8. Action in the Event of a Breach of the Standards of Acceptable Use

In circumstances where there is assessed to be a breach of the standards of acceptable use, as described below, Expanse Learning will, as a first action, act promptly to prevent continuance or repetition of the breach, for example to withdraw any unacceptable materials. This action will be taken in accordance with the normal managerial arrangements and will typically involve liaison between the appropriate member(s) of the Wider Management Team.

Subsequent actions are described below:

- Indications of non-compliance with the provisions of the Email Policy will be investigated, as appropriate, in accordance with the provisions of Expanse Learnings Disciplinary Procedures, as applicable to staff and students.
- Subject to the findings of any such investigation, non-compliance with the provisions of the Email Policy will lead to appropriate disciplinary action, which could include dismissal on the grounds of gross misconduct. Furthermore, publication of some materials may not only amount to a disciplinary offence, but also a criminal offence, in which case the issue will be reported to the police for them to take appropriate action.

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## 9. Standards of Acceptable Use

The main purpose for the provision of email facilities is for use in connection with the teaching, learning, research, and approved business activities of Expanse Learning. IT facilities provided by Expanse Learning for email should not be used:

- For personal use, other than as specified below
- For the transmission of unsolicited commercial or advertising material, chain letters, press releases, or other junk-mail of any kind, to other user organisations, or to organisations connected to other networks, other than where that material is embedded within, or is otherwise part of, a service to which the member of the user organisation has chosen to subscribe
- For the unauthorised transmission to a third party of confidential material concerning the activities of Expanse Learning
- For the transmission of material such that this infringes the copyright of another person, including intellectual property rights
- For the deliberate unauthorised access to services and facilities
- For the unauthorised provision of access to Expanse Learning services and facilities by third parties
- For activities that unreasonably waste staff effort or networked resources, or activities that unreasonably serve to deny service to other users
- For activities that corrupt or destroy other users' data
- For activities that disrupt the work of other users

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## 10. General Standards of Use

IT facilities provided by Expanse Learning for email should not be used:

- For the creation or transmission (other than for properly supervised and lawful research purposes) of any offensive, obscene or indecent images, data, or other material, or any data capable of being resolved into obscene or indecent images or material
- For the creation or transmission of material which is designed or likely to cause annoyance, inconvenience or needless anxiety
- For the creation or transmission of material that is abusive or threatening to others, or serves to harass or bully others
- For the creation or transmission of material that either discriminates or encourages discrimination on racial or ethnic grounds, or on grounds of gender, sexual orientation, marital status, disability, political or religious beliefs. Expanse Learning is committed to fostering a learning and working environment free of discrimination where everyone is treated with dignity and respect
- For the creation or transmission of defamatory material
- For the creation or transmission of material that includes false claims of a deceptive nature

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- For so-called 'flaming' i.e. The use of impolite terms or language, including offensive or condescending terms
  - For activities that violate the privacy of other users
  - For criticising individuals, including copy distribution to other individuals
  - For publishing to others, the text of messages written on a one-to-one basis, without the prior express consent of the author
  - For the creation or transmission of anonymous messages, i.e., without clear identification of the sender
  - For the creation or transmission of material which brings Expanse Learning into disrepute

Expanse Learning will exercise its discretion in judging reasonable bounds within the above standards for acceptability of material transmitted by email.

Expanse Learning regards the declaration of standards, as described above, to be particularly important. They reflect the values and beliefs of Expanse Learning.

### **11. Preventing the Spread of Malicious Software (Viruses)**

Users of Expanse Learning IT facilities must take all reasonable steps to prevent the receipt and transmission by email of malicious software e.g., computer viruses.

In particular, users:

- Must not transmit by email any file attachments which they know to be infected with a virus
- Must ensure that an effective anti-virus system is operating on any computer which they use to access Expanse Learning IT facilities
- Must ensure all IT devices undergo critical updates (i.e., restarting your laptop on a daily basis)
- Must not open email file attachments have received from unsolicited or untrusted sources

### **12. Personal Data**

Any documents sent via email containing personal or sensitive information must be password protected and encrypted using Microsoft office 365 security. The password for the document must be sent to the recipient in a separate email. Please refer to the data protection policy and privacy notice.

### **13. Personal Use**

Expanse Learning permits the use of its IT facilities for authorised users for personal use, subject to the following limitations:

- A level of use that is reasonable and not detrimental to the main purpose for which the facilities are provided
- Priority must be given to use of resources for the main purpose for which they are provided
- Personal use must not be of a commercial or profit-making nature, or for any other form of personal financial gain
- Personal use must not be of a nature that competes with Expanse Learning in business
- Personal use must not be connected with any use or application that conflicts with an employee's obligations to Expanse Learning as their employer
- Personal use must not be connected to any purpose or application that conflicts with Expanse Learning rules, regulations, policies and procedures
- Personal use must comply with the Expanse Learning policies and regulations, in particular the email policy

It must be noted that while personal use of email is permitted in the above manner it is not permitted for the posting of comments on social networking sites where the post is unrelated to work (See ELGR-ICT-003 – Social Networking policy). In relation to the personal use of the Expanse Learning IT facilities for email, if users are in any doubt about what constitutes acceptable and appropriate use, they should seek the advice and guidance of their Manager.

### **14. Legal Consequences of Misuse of Email Facilities**

In a growing number of cases involving the civil or criminal law, email messages (deleted or otherwise) are produced as evidence in a permanent written form. There are a number of areas of law which apply to use of email and which could involve liability of users or Expanse Learning.

These include the following:

- **Intellectual property** – Anyone who uses email to send or receive any materials that infringe the intellectual

- property rights of a third party may be liable to that third party if such use is not authorised by them.
- **Obscenity** – A criminal offence is committed if a person publishes any material which is pornographic, excessively violent or which comes under the provisions of the Obscene Publications Act 1959. Similarly, the Protection of Children Act 1999 makes it an offence to publish or distribute obscene material of a child.
- **Defamation** – As a form of publication, the Internet is within the scope of legislation relating to libel where a statement or opinion is published which adversely affects the reputation of a person, group of people or an organisation. Legal responsibility for the transmission of any defamatory, obscene or rude remarks which discredit an identifiable individual or organisation will rest mainly with the sender of the email and may lead to substantial financial penalties being imposed.
- **Data Protection** – Processing information (including photographs) which contains personal data about individuals, requires the express written consent of those individuals. Any use of personal data beyond that registered with the Data Protection Commissioner will be illegal.
- **Discrimination** – Any material disseminated which is discriminatory or encourages discrimination may be unlawful under the Sex Discrimination Act 1975, the Race Relations Act 1976 or the Disability Discrimination Act 1995 where it involves discrimination on the grounds of sex, race or disability.

The above is only designed to be a brief outline of some of the legal consequences of misuse of email facilities.

**Advice on Acceptable and Appropriate Use of Email Facilities** – It should be remembered that use of Expanse Learning IT facilities for email in an unacceptable and inappropriate manner and breach of this Policy may be treated as a disciplinary offence. If users are in any doubt about what constitutes acceptable and appropriate use of email facilities, they should seek the advice and guidance of their Line Manager.

**Investigation of Complaints** – Expanse Learning will investigate complaints received from both internal and external sources, about any unacceptable use of email that involves the Expanse Learning IT facilities. Where there is evidence of a criminal offence, the issue will be reported to the police for them to take appropriate action. Expanse Learning will co-operate with the police and other appropriate external agencies in the investigation of alleged offences.

In the event that the investigation of the complaint establishes that there has been a breach of the standards of acceptable use, then action will be taken as described above.

## 15. Monitoring arrangements

This policy will be reviewed every 12 months but can be revised as needed.

<b>Impact of non-compliance for:</b>	
<b>Staff:</b>	Disciplinary action
<b>Student:</b>	Suspension, Temporary Exclusion, Permanent Exclusion
<b>Legislation/organisational:</b>	Reputational damage, statutory and non-regulated compliance.
<b>Compliance lead:</b>	Headteacher/Director of Schools
<b>Policy Reference:</b>	ELWS-ICT-003
<b>Version:</b>	1
<b>Agreed policy location:</b>	DatabridgeMIS and Company Webpage
<b>Does the policy require Governor approval?</b>	No

### Approval

<b>Prepared by</b> Scott Roberts (Assoc. CIPD) 01/03/2021  Head of Corporate Services	<b>Approved by</b> Tony Brown 02/03/2021  CEO	<b>Counter Signatory</b> Richard King 02/03/2021  Director of Schools, Pre 16 Education
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### Version Control

Version	Date	Revision	Review Date
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<b>1</b>	01/03/2021	First Issue	28/02/2022
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<b>3</b>			
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