

Policy for Using University IT Resources

1. *Scope*

- 1.1. The University of Wolverhampton supports the principle of optimising the available information technology to enhance the learning experience of all members of the University community. However, such use of University resources is subject to statutory provisions and contractual and other obligations placed upon the users of these University resources. This Policy not only summarises the contractual obligations upon users, it also seeks to inform users of some (although not necessarily all) of the statutory and other legal obligations applicable. It is the responsibility of each individual to acquaint themselves with and observe the obligations which are imposed by law.
- 1.2. The Internet is an evolving medium of information exchange and interaction. It includes, amongst other facilities, access to the World-Wide Web, Electronic Mail, Instant Messaging and Social Networking, Virtual Learning Environments (Wolf), Eportfolio (Pebble Pad), and many other Internet technologies.
- 1.3. This Policy applies to all users of University IT facilities, and is in addition to the [Conditions for Use of IT Facilities](#).
- 1.4. The University reserves the right to monitor all usage of University IT facilities, which includes monitoring the access, publication or receipt of any electronic materials by any user and, in addition to the provisions of clause 2.5 below, to remove or require the immediate removal from University systems of any material which, in the opinion of the University's Vice-Chancellor is considered to be inappropriate

2. *General Provisions*

2.1. JANET Acceptable Use Policy

The Joint Academic Network ("JANET") is a facility to which the University of Wolverhampton subscribes and which supports the communication requirements of the United Kingdom education and research community. In subscribing to such facilities, the University of Wolverhampton undertakes to adhere to the JANET

Acceptable Use Policy. Internet traffic is routed via the University's JANET connection, and the University requires that all users of University IT resources are aware of and comply with the requirements of the Acceptable Use Policy.

A copy of the current JANET Acceptable Use Policy is available on www.ja.net/

2.2. Statutory and other provisions of English Law

Whilst the use of the Internet is a broadly unregulated medium, there are a number of statutory and other legal provisions which may impact upon its use. The following are a selection of provisions for which users of the Internet will need to be cognisant; they are, however, by no means exhaustive. It must also be noted that it is the policy of the University of Wolverhampton to refer to the appropriate authorities any discovery of a breach of the law arising from use of the Internet.

2.2.1. Computer Misuse Act 1990

The [Computer Misuse Act 1990](#) makes it a criminal offence to access, or attempt to access computer material without proper authority or to make unauthorised modification of computer material. Persons convicted of an offence under the Computer Misuse Act are subject to a maximum of 5 years' imprisonment or a fine or both. In the context of Internet use, it is likely that the following examples would be considered illegal.

- Accessing restricted material without proper authority.
- Provision of any material, such as access policies or 'hacking' instructions which enables others to gain unauthorised access to a computer system.
- Knowingly receiving (or using) any material from an unauthorised user who has gained access to systems.
- Unauthorised modification of a computer system program or data stored on a system.
- Any material which encourages or incites other persons to carry out unauthorised access or modification of a computer system, program or data.

2.2.2. The Copyright Designs and Patents Act 1988

It is an offence under the [Copyright, Designs and Patents Act 1988](#) to copy software or other Internet materials without authority. It is immaterial whether such unauthorised copying is done with a view to personal convenience or for monetary gain. Unlimited fines and up to two years' imprisonment may be imposed on offenders.

All software, including commercial products and Shareware, is protected by copyright law. Some software creators have designated their products as Freeware (for which use is authorised without a licence fee being payable) and have made this available on the Internet. The University does not tolerate the use of unauthorised/unlicensed software.

2.2.3. Data Protection Act 1998

This Act prohibits the holding, processing or disclosure of personal information data about others on computer or in manual format, unless the data user is properly registered with the Information Commissioner and observes the [Data Protection Principles](#). In view of the complexity of the legislation, students of the University of Wolverhampton are prohibited from establishing, holding or processing any personal data without the express written consent of their module or subject leader, who must ensure that where consent is given the processing complies with all aspects of the Data Protection Act.

Staff use is subject to the University's Data Protection Notification and it is the duty of each staff user of University IT facilities to ensure that their use complies at all times with the [Data Protection Act](#), and is within the University's Notification. Details of the University's Notification, may be obtained from the [University's Data Protection Officer](#) on (01902 32) 2626. Information relating to the application of the Act within the University can be found on the [Policies and Regulations](#) page of the Website.

All personal data (information from which a living individual can be identified) must be held securely and in accordance with the University's Information

Security Policy. The level of security applied must be consistent with the sensitivity of the information held e.g. password protected or encrypted as appropriate. In this context sensitive data is as defined in the Data Protection Act, and includes such information as medical details, race/ethnicity and trade union membership. Additionally the University considers financial information such as pay or banking details as sensitive data.

Staff must ensure that any personal data held in connection with University business is adequately protected. Advice should be sought from the [Information and Records Manager](#) before data is transferred outside the University. Personal data should not be stored on portable devices e.g. laptops, for off-site use without the express approval of a Dean, Director or other appropriate manager.

2.2.4. Equality and Discrimination

Discrimination on the grounds of race, colour, nationality, ethnic or national origin, disability, gender, age, sexual orientation, religion and belief is unlawful under the provisions of legislation. Any material published or received via the Internet (or by other means) which discriminates or encourages discrimination is in contravention of the law. In so far as Disability Discrimination is concerned please be mindful too of the obligations set out at point [3.3.4.3](#) of this Policy. See also: www.equalityhumanrights.com

2.2.5. Official Secrets Acts

The provisions of this legislation often apply in connection with contracts with the Government or government agencies. Any publication of material via the Internet (or by any other means) which is in contravention of obligations under the Official Secrets Acts is a criminal offence which is punishable by imprisonment or a fine or both.

2.2.6. Pornography, Violence and Extremism

The [Criminal Justice and Public Order Act](#) is one of a miscellany of legislation which includes provisions for the protection of minors by making it a criminal offence to possess pornographic or obscene material of or involving children, or material either considered to be excessively violent or likely to incite acts of

violence, extremism or terrorism. In the context of the Internet it would apply to the transmission, receipt and storage of text, audio and graphic images.

2.2.7. Obscene Publications Act 1959

The publication (whether for gain or not) of material intended to be read, heard or looked at which is such as to tend to deprave and corrupt persons having access to the publication is a criminal offence which carries a maximum sentence of three years imprisonment.

2.2.8. Laws of Defamation

Any publication of a statement, comment or innuendo about another individual or organisation which cannot be justified at law may render the author liable to an action for defamation. In the context of Internet use, the University will not permit the publication of defamatory material and any author transmitting or any person passing on defamatory material will be required to indemnify the University against all actions, proceedings, claims and costs resulting therefrom. **See also:** [Defamation Act 1996](#)

2.2.9. Telecommunications Act 1984 & Communications Act 2003

A person who sends a message or other matter that is grossly offensive, indecent, obscene or menacing in character via the public telecommunication system or sends a false message for the purpose of causing annoyance, inconvenience or needless anxiety to another shall be guilty of a criminal offence. The Internet makes use of the "public telecommunication system". A breach will result in a substantial fine and/or imprisonment.

2.3. International Law

Users of the Internet should be aware that any material which they create and transmit is potentially accessible World-Wide and that such material must not therefore contravene any international laws or treaties.

2.4. Additional University Requirements

In addition to the JANET Acceptable Use Policy and the provisions of the law generally, the University of Wolverhampton requires users to comply with the following additional general requirements

2.4.1. Advertising

With the exception of University advertisements published in accordance with the provisions of clause 3.3 below, users of University resources are not permitted to create, place or distribute any advertisement on the Internet which is in the nature of a commercial activity. In certain circumstances, such as for initiatives which have a reciprocal benefit for the University, or to enhance the student experience, commercial partners may be featured. In the event of any doubt or uncertainty as to what is and what is not acceptable in this context, the University's Vice-Chancellor shall be the final arbiter.

2.4.2. Unacceptable Material or conduct

The University of Wolverhampton will not permit the use of the Internet for the transmission or receipt of material which is considered by the University to be offensive; in breach of University policies on harassment; wasteful of resources, or not commensurate with the provision of the facilities for legitimate educational purposes.

Examples of such unacceptable use may include:

- Engaging in computer games on the Internet
- Engaging in 'chain E-mail'
- The transmission or receipt of material which draws excessively upon resources
- The transmission or receipt of materials which is to the possible detriment of the University's systems or is to the possible detriment of other users
- The transmission of files, text or images, which, in the opinion of the University, are considered abusive or offensive
- The sending of unsolicited electronic communications to multiple recipients except where it is authorised by the University
- Other unacceptable conduct which may reflect adversely upon the user and/or the University
- The provision by a University user of explicit or cryptic links to such material stored elsewhere on the Internet is also unacceptable

2.4.3. Any transmission of materials by a user of University Internet systems must carry the name of the user. Any act or attempt by a user to transmit via the University's Internet systems materials which purports, falsely, to have

emanated from another user, person or organisation shall be subject to appropriate sanctions.

2.4.4. In view of the possibilities of introducing computer programs which may cause damage or disruption to University computer systems (such as viruses, trojans or worms), the University discourages the transmission of programs via the Internet. In the event that a user of University systems does introduce a disruptive program by such means, and whether this is done knowingly or not, the University reserves the right, in addition to any other sanctions which may apply, to recover from the user responsible for downloading the software, the cost of any remedial action necessary, together with any other direct costs to cover, for example, the re-creation of data or business interruption.

2.5. University Monitoring and Sanctions

Any suspected breach of the provisions of this Policy may result in the immediate withdrawal of Internet access privileges and/or withdrawal of additional IT facilities, pending investigation. In addition to the sanctions applicable to a breach of the law, any actual breach of the provisions of this Policy may result in the temporary or permanent withdrawal of Internet and/or other University IT facilities and may also be subject to appropriate University disciplinary procedures.

2.5.1. Whilst the University does not routinely intercept or monitor internet or other telecommunications traffic passing through its systems, the University does expect all users of its facilities to use them responsibly and in compliance with this Policy. Within the provisions of the law, the University reserves the right at any time to intercept and monitor communications in accordance with the Regulation of Investigatory Powers Act; The Telecommunications (Lawful Business Practise)(Interception of Communications) Regulations and any other relevant legislation. Such interception/monitoring shall normally only take place with the express written approval of the Vice-Chancellor or The Clerk to the Board of Governors, but may be undertaken without any prior notice to the users of University systems.

2.5.2. Voice-mail and similar recordings may be retained for up to 30 days for business purposes. In the event that there is a need to retain recordings

beyond 30 days it shall normally be with the express written approval of the Vice Chancellor or Clerk to the Board of Governors.

3. *Publication Standards in the University's Pages on the World-Wide Web*

3.1. Classification of Pages - Personal and Official

The facilities of the World-Wide Web include the opportunity for users to create personal pages available via the World Wide Web. There are therefore two distinct types of Web page which, subject to the provisions of this Policy, are permitted by the University. These may be classified as personal pages and official pages.

3.2. Personal Pages

3.2.1. All members of the University who have registered to use the corporate IT facilities of the University of Wolverhampton may, (subject to the conditions of this Policy and in particular that of providing the indemnity specified in clause 3.2.3 below) create personal pages for personal use. Subject to the application of any sanction outlined in clause 1.4 and clause 2.5 above, such pages may remain extant whilst the user is a member of the University, but may be removed by the University, without notice, when the user ceases to be a member. In addition, in the case of student members, the University of Wolverhampton reserves the right, without notice, to delete student personal pages from the University's Website at the end of each Academic year or other defined period of study, notwithstanding that a student may be returning to the University for a subsequent period of study. Note that members of the University who create and publish such pages are personally liable for inappropriate content, copyright infringement, breaches of data protection legislation and the disclosure of information confidential to the University.

3.2.2. Any personal page which is created and placed on the University Website must not contain the University logo; the Coat of Arms or any other mark or device belonging to or licensed for use by the University and no facsimile or representation of any foregoing marks or devices shall be permitted.

3.2.3. All personal pages created and placed on the University's Website must in addition to the users name, include on each page, the following statement:

'A disclaimer applies to this page'.

The word 'disclaimer' in the statement shall be a link to the following disclaimer and indemnity statement page: <http://www.wlv.ac.uk/disclaimer/personal.html>

The disclaimer and indemnity statements appearing at the above mentioned URL are as follows:

"The content of and any views expressed in the personal pages of this Website are those of the person named and are not those of the University of Wolverhampton. The person named on the page has, as a condition of publishing this page on the World Wide Web using University of Wolverhampton resources , agreed to and hereby indemnifies the University of Wolverhampton against all liability at law for the material contained therein."

Any personal pages which do not comply with these requirements shall be deleted, immediately and without notice, by the University.

3.2.4. All users creating personal pages on the University's Website shall be responsible for ensuring that the pages are, so far as is reasonably practicable, maintained and any information therein kept up to date.

3.3. University official pages

3.3.1. Schools, departments, centres or institutes of the University of Wolverhampton may create pages and/or sections of pages within the University's Website. Such pages shall be called official pages and, in addition to the general provisions of this Policy, will be subject to the following provisions.

3.3.2. Deans of schools, directors and heads of departments, centres or institutes shall determine such procedures as may be appropriate to facilitate the

establishment and the maintenance of official pages and/or sections of pages for their respective areas of responsibility. Responsibility for the accuracy and resourcing of such pages shall rest with the Dean/Director or Head as appropriate. Procedures may include the authorisation or approval of authors; the content of material or the review of official pages

3.3.3. The University logo, Coat of Arms and devices for which the University has been licensed to use may be included wherever it is appropriate, on official pages according to the [relevant guidelines](#). Official Pages shall at all times conform to the University's corporate style mandates in force from time to time

3.3.4. Official Pages-Mandatory Information. Each official page and/or sections of pages must have an owner, date created and review period, and abide by the following:

3.3.4.1. Web protocol available at <http://www.wlv.ac.uk/webprotocol> or from the Marketing and Communications web team.

3.3.4.2. Pages containing personal data, must comply with the University's Notification and obligations under the Data Protection Act

3.3.4.3. Disability legislation requires that we make reasonable adjustments to our web pages for disability. Further information can be found at the link below and when in doubt the Web Team or IT services can advise

See also www.equalityandhumanrights.com

3.3.4.4. University footer, which includes links to disclaimer and copyright information

Official pages shall be kept accurate and up to date in accordance with school /departmental procedure. Any page which is not so maintained and kept up to date may be removed from view, without prior notice.

4. University pages on external websites

4.1. The University's Director of Marketing and Communications coordinates the University's presence on external websites. In the case of any doubt as to what is acceptable the University's Vice Chancellor will be the final arbiter.

4.2. Where pages are posted externally the principles in relation to University official pages will apply.

5. Use of email systems

5.1. Use of email systems must be in accordance with this policy and relevant legislation, in addition staff using corporate systems will:

5.1.1. Include the approved [disclaimer](#) on all external communications (exceptions should be referred to the University Secretary)

5.1.2. Include job title on all business communications

5.1.3. Retain emails in accordance with retention guidelines or legal requirements

5.1.4. Store emails so that they are accessible for as long as required

5.1.5. Avoid sending large attachments via email e.g.>300 KB

5.1.6. Use the Out Of Office response when unavailable to refer individuals making requests/enquiries to other contacts

5.2. Generic folders for email enquiries should be monitored by more than one member of staff to ensure they remain active during staff absences, or when a member of staff leaves the University

On leaving the University IT accounts will be closed and any emails still held deleted.

- Staff must ensure that any current business communications are transferred to others in their school/department to ensure business continuity.
- Students are advised to take a copy of any information they may wish to access in the future

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