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Fakenham Town Council

Councillor Email Policy

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1. INTRODUCTION

This policy sets out the Council's requirements for the use of email communications to comply with **Assertion 10 – Digital and Data Compliance** of the Annual Governance and Accountability Return (AGAR). The purpose is to ensure that all council-related communications are conducted securely, consistently, and in line with recognised standards of governance meeting obligations with regards to data protection and freedom of information requests. The aim of this policy is to assist Town Councillors with email protocol and compliance setting best practice for Councillor use of emails when dealing with Council business.

2. LEGAL OBLIGATIONS

The Freedom of Information Act 2000 (FOI Act) and GDPR applies to public bodies. The FOI Act allows members of the public to request information from the Town Council which must be treated in accordance with GDPR. Town Council information held by Councillors is subject to the FOI Act and must be made available if requested in accordance with the FOI Act and GDPR Regulations

3. POLICY REQUIREMENTS

- All official council email correspondence **must** be conducted using a Council-owned domain email address (e.g. Firstname.Surname@Fakenhamtowncouncil.gov.uk).
- Email addresses can be found by members of the public via the Town Council website
- Personal or third-party accounts (e.g. Gmail, Hotmail, Outlook.com, Yahoo) **must not** be used for council business.
- Users must not auto-forward emails from official accounts to personal addresses.
- Access to council email accounts must be protected by strong passwords and, where available, multi-factor authentication (MFA).
- Town Council email addresses should not be used by anyone other than the Town Councillor to whom the Town Council email address has been assigned.
- Any official Town Council business held by Councillors in their own private email accounts is still subject to the FIO Act and therefore their individual account can be searched for requested information. Deleting or concealing information with the intention of preventing

its disclosure following receipt of a FOI request is a criminal offence under section 77 of the FOI Act and the person concealing the information is liable to prosecution.

- Emails should only be sent during the working week of Monday to Friday.
- Sensitive or confidential information must only be transmitted via official channels and should be marked appropriately.
- Council email communications form part of the official record and will be retained in accordance with the Council's Records Management and Retention Policy.
- Any suspected data breach must be reported immediately in line with the Council's Data Protection Policy.

4. EMAIL CONTENT

Much of the information conveyed to Councillors is via email. Councillors should take care with the content of any emails they write and send on to others as improper language may lead to claims for discrimination, harassment, defamation, breach of confidentiality or breach of contract. When acting on Town Council business Councillors should not:

- Send emails that contain libellous, defamatory, offensive, racist or obscene comments.
- Forward emails or attachments without being assured that the information can be passed on.
- Publicise the content of emails that contain confidential information.
- Send emails that could contravene the Councillors' Code of Conduct
- CC in other councillors or officers unless the subject matter specifically relates to them or their responsibilities.

All emails from a dedicated Fakenham Town Council email accounts must carry this disclaimer.

This email and any attachments are intended solely for the use of the individual or organisation to whom they are addressed. If you have received this message in error, please notify the sender immediately and delete it from your system. Any unauthorised use, disclosure, copying, or distribution of this communication is strictly prohibited.

Unless expressly stated otherwise, nothing in this email should be taken as constituting a legally binding agreement or commitment on behalf of the Council. Any such agreement must be confirmed in writing by an authorised officer.

Please note that this email and any response to it may be subject to disclosure under the **Freedom of Information Act 2000**, the **UK General Data Protection Regulation (UK GDPR)**, the **Data Protection Act 2018**, or for the purposes of legal proceedings.

5. REVIEW

This policy will be reviewed annually, or sooner if required, to ensure ongoing compliance with AGAR requirements, legislative changes, and best practice standards.

Reviewed at Governance & Finance 16th September 2025

Ratified at Full Council 24th September 2025