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The purpose of this document is to lay forth the policy which regulates the use of electronic mail within Brunel University London, and while using mail and allied facilities

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Director, Computer Centre

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Director, Computer Centre

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Assistant Director (Governance and Corporate Services), Computer Centre

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Current version, August 2014, is derived from and supersedes version published in February 2014 and earlier versions.

Electronic

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This policy describes the local rules by which business is transacted at Brunel University London using electronic mail, but mail use must also comply with laws, regulatory instruments, policies and frameworks which operate at higher levels.

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All computer use which takes place on, or routes activity through, the Brunel University London data network, or through accounts provided by the University for the transaction of Brunel University London business but managed on behalf of Brunel University London by a third party, is subject to the provisions of the Brunel Acceptable Computer Use Policy (BACUP).

The current text of BACUP may be found

member of staff to this mail account to check for incoming mail which may contain Brunel University London business.

Access is made to the mail account by the account-holder through password-protected login, using the network username provided by the Computer Centre and the password associated with that username.

The Computer Centre (or its duly appointed agent) may undertake timely maintenance, upgrading or administrative work on aspects of the network, and other bodies in the internet chain may likewise undertake such work: it is the responsibility of the account-holder to maintain awareness of such work schedules and of any risk of access diminution associated therewith. Brunel University London will not be held responsible for any loss or damage as a result of access diminution associated with such works.

In all cases outlined below, any manual procedure associated with the inauguration, change or demission of a mail account may at certain times be replaced by an equivalent automated process as approved by the Director of the Computer Centre. Reference below to such manual procedures should be read to incorporate such automated equivalents.

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The mail account will be set up as part of the network account registration procedure, and will generally run for the duration of the network account. There will be no right of access to the mail account, nor to data associated therewith, by the account-holder following the termination of the network account. It is the responsibility of the account-holder and of the Senior Officer of the relevant unit of the University to discuss with the Computer Centre the arrangements for ongoing management of past and future messages to the mail account by another member of staff after the termination of the network account, otherwise all data pertaining on of of ata m e

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On occasion, work may be done for Brunel University London by an external person volunteering service (for example, an alumnus giving time for a unit of the University): in certain such cases, a mail account may be needed.

If a mail account is set up as part of the network account registration procedure, it will generally run for the duration of the network account. It is possible that the mailname for such a mail account will not be personalised. For reasons of compliance and records management, the use of a mail account by a volunteer for personal business is not appropriate. There will be no right of access to the mail account, nor to data associated therewith, by the account-holder following termination of the network account.

It is the responsibility of the account-holder and of the Senior Officer of the relevant unit of the University to discuss with the Computer Centre the arrangements for ongoing management of past and future messages to the mail account by another member of staff after the termination of the network account, otherwise all data pertaining to the account may be deleted from the Brunel University London data network on that date. Such discussions should take place at least two months before the termination date. The issue of a mail account to a volunteer member of staff will require that the Senior Officer of the relevant unit of the University accepts responsibility for the user-level management of the mail account and all compliance issues, and for the management of any data associated with the mail account at the dissolution of the account-holder's access rights.

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On retirement from active Brunel University London service, the mail account held by a permanent member of staff will be closed. At the discretion of the Director of the Computer Centre, and following consultation with the Director of Human Resources, a retired member of staff who has been granted the use of a new account may also be granted an associated mail account. This mail account may be restricted in scope, and for reasons of compliance and records management, the use of a mail account by a retired member of staff for personal business other than the maintenance of contact with Brunel University London is not appropriate.

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Following departure from employment at Brunel University London, there is no entitlement to a mail account for any person by virtue of status as a former member of staff of Brunel University London.

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The granting of a mail account in association with any Brunel University London network account set up for field testing will be dependent on the need for mail access as part of the field tests. The use of such a mail account for personal business, or for any purpose not intimately connected with the field tests, is inappropriate.

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If a member of staff is enrolled as a student of Brunel University London, then a mail account will be issued to that person in the capacity of a student on the appropriate course, which will run concurrently with the staff member's role-related account while the person enjoys dual status. It is important, and is the responsibility of the account-holder, to ensure the separation of these two mail accounts, the staff account being used for activity related to the account-holder's employment, and the student account for course-related activity. There will be no access to the student account after its termination.

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An amanuensis, note-taker or other support worker operating, by prior agreement with Brunel University London *in loco studentis* will be considered to have account access as a delegate for the student concerned (see appropriate sections under *Brunel University London student*). Any mail account needed for administrative contact between the support worker

associated with the use of Brunel University London's standard mail client in the standard manner.

An attempt to use any other mode of access may encounter access restrictions or diminution of facility. The format of any electronic mail address, alias or associated display data

but cannot precede it. There will be no right of access by the account-holder following such a termination.

On any subsequent transfer to another course of study at Brunel University London, the student will receive a new mail account appropriate to that course of study.

roles (as student and worker) is reflected in the separate use of the mail accounts as appropriate. It should be noted that this applies also to any period of work placement which is undertaken within Brunel University London by a student of Brunel University London. See also the section(s) appropriate to the work role.

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A student enrolled upon a course of study by distance learning which is provided by Brunel University London is entitled to a mail account appropriate to the course of study. Distance learners are reminded that the Computer Centre reserves the right to take any measures necessary to authenticate any account-holder at the point of issue of account details and at any point thereafter, and to suspend access to any account at any time for reasons of suspected personation.

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If a student requires the services of an amanuensis, note-taker or other support worker (e.g., for reasons of disability), then the support worker may, by prior agreement with Brunel University London, gain delegate access *in loco studentis* to the student's Brunel University London mail account. The support worker's own correspondence with Brunel University London should be carried out using an appropriate staff mail account (see appropriate sections under *Brunel University London's staff*).

The Computer Centre (or its duly appointed agent) may undertake timely maintenance, upgrading or administrative work on aspects of the network, and other bodies in the internet chain may likewise undertake such work: it is the responsibility of the account-holder to maintain awareness of such work schedules and of any risk of access diminution associated therewith. Brunel University London will not be held responsible for any loss or damage as a result of access diminution associated with such works.

In all cases outlined below, any manual procedure associated with the inauguration, change or demission of a mail account may at certain times be replaced by an equivalent automated process as approved by the Director of the Computer Centre. Reference below to such manual procedures should be read to incorporate such automated equivalents.

Brunel University of London's staff

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The Union of Brunel Students occupies a special place in the structure of mail accounts: the Union is independent of the university, but its symbiotic status

occasions when it is mutually beneficial to grant access to a mail account for the transmission of agreed local business of one such trade union. In all cases, the granting of any mail account privileges will be strictly for specified purposes, will be at the discretion of the Director of the Computer Centre, and may be rescinded at any time at the sole discretion of Brunel University London.

The access privileges for such a mail account are likely to be severely restricted in comparison with those for a standard staff account, for reasons of contract, compliance and records management. Data stored upon, or passing through, the Brunel University London data network in connection with the use of such a mail account constitute records of Brunel University London, and must be managed as such. Responsibility for custody and content lies with the appropriate trade union: this, does not prevent Brunel University London from taking action (including disciplinary action) in the event of inappropriate usage of such an account.

There is no medium of access designated as primary medium for this class of accounts. The format of any electronic mail address or alias will be as decided by the Computer Centre, and there will be no general right of divergence from the address as assigned by the Computer Centre. In particular potential name-clashes may restrict options for such addresses and aliases.

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At the discretion of the Director of the Computer Centre, a member of staff at Brunel University, having been elected as an officer in a Brunel University London branch of a trade union duly recognised at Brunel University London, may be granted

extend beyond activity carried out on behalf of its members employed by Brunel University London. Furthermore, it is inappropriate for such business to be transacted using the staff member's primary Brunel University London mail account.

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There is no entitlement to a mail account for the transaction of business of a trade union duly recognised at Brunel University London for anyone who is not a current member of staff of Brunel University London.

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There is no entitlement to a mail account for the transaction of business of a trade union not recognised as a representative union at Brunel University London. Furthermore, it is inappropriate for such business to be transacted using any other Brunel University London mail account.

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From time to time, there is a requirement that a member of staff of an outside organisation should, in association with access to the Brunel University London data network, have a mail account, in order to undertake specific internal communication within Brunel University London. The characteristics of such an account will vary according to the individual circumstances, and the exact terms and conditions will remain entirely at the discretion of the Director of the Computer Centre: the subsections of this part of the Policy indicate the principles under which such an account may be issued. There is no medium of access designated as primary medium for this class of accounts. The format of any electronic mail address or alias will be as decided by the Computer Centre, and there will be no general right of divergence from the address as assigned by the Computer Centre. In particular potential name-clashes may restrict options for such addresses and aliases.

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A member of staff from another academic institution contracted to undertake work for Brunel University London may, at the discretion of the Director of the Computer Centre and following consultation with the Senior Officer of the relevant unit of the University, be granted a mail account for the purpose of internal communication within Brunel University London. For reasons of compliance and records management R agemen

and there will be no general right of divergence from the address as assigned by the Computer Centre. In particular potential name-clashes may restrict options for such addresses and aliases.

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In addition to staff and students of Brunel University London, there are several classes of person who may be designated as 'associated' with Brunel University London. There is no medium of access designated as primary medium for this class of accounts. The format of any electronic mail address or alias will be as decided by the Computer Centre, and there will be no general right of divergence from the address as assigned by the Computer Centre. In particular potential name-clashes may restrict options for such addresses and aliases.

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A student of an associated institution who is enrolled on a course of study for an award which is validated by Brunel University London is entitled to a mail account with characteristics appropriate to such status. There will be no right of access by the account-holder following the mail account's termination.

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A student of an associated institution who is enrolled on a course of study for an award which is validated locally by that institution is not entitled to a mail account at Brunel University London.

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At the discretion of the Director of the Computer Centre, an academic collaborator may be granted a Brunel University London mail account in order to facilitate communication within the collaborative group based at Brunel University London. For reasons of compliance and records management, the use of such a mail account for personal business is inappropriate. There will be no right of access by the account-holder following the mail account's termination. The attention of the holder of an account of this type is drawn to the requirements to abide by legal and regulatory constraints relating to consumer protection and competition law, as outlined in the Network Account Policy.

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At the discretion of the Director of the Computer Centre, a collaborator from a non-academic third party may be granted a Brunel University London mail account in order to facilitate communication within the collaborative group based at Brunel University London. For reasons of compliance and records management, the use of such a mail account for personal business is inappropriate. There will be no right of access by the account-holder following the mail account's termination. The attention of the holder of an account of this type is drawn to the requirements to abide by legal and regulatory constraints relating to consumer protection and competition law, as outlined in the Brunel University London *Network Account Policy*.

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A member of staff of a company associated with Brunel University London¹⁰ may be granted a mail account in association with a network account so granted. For reasons of compliance and records management, the use of such a mail account for personal business is inappropriate. There will be no right of access by the account-holder following the mail account's termination.

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The ability of Brunel University London to accommodate visitors' requests for network access is severely limited by the day-to-day pressures on its facilities, and by Brunel University London's need to comply with legislative and licensing restrictions. There is no medium of access designated as primary medium for this class of accounts. The format of any electronic mail address or alias will be as decided by the Computer Centre, and there will be no general right of divergence from the address as assigned by the Computer Centre. In particular potential name-clashes may restrict options for such addresses and aliases.

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- any information sharing which may contravene the letter or spirit of consumer protection law as it applies to the assurance of fair competition and fair access across the Higher Education sector in the United Kingdom, the European Union, and elsewhere as relevant.
 - the unauthorised transmission to a third party of confidential material concerninT ird paq

London therefore allows its mail accounts to be used for limited personal purposes, as long as such use

- is made using a mail account which is entirely personalised to the individual concerned, and is not characterised as inappropriate for personal business use.
- is reasonable, is not disproportionate to primary-purpose use, nor is in any way detrimental to the system's availability for primary-purpose use.
- is not for commercial or profit-seeking purpose, nor in furtherance of any financial gain to the sender or (by the agency of the sender's solicitation) to any third party, nor in furtherance of the dissemination of the aims, ethos, policies, opinions or like matter in respect of any third party, including, it should be noted, any individual, not-for-profit, political, religious, advocative or charitable entity as well as a commercial third party.
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- for the purposes of maintaining the free flow of primary-purpose mail.
 - there has been a suspected violation of the ordinances, rules, regulations or policies of Brunel University London.

Brunel University London's policies on the inspection, monitoring and disclosure of data are founded upon compliance with all relevant legislation, and with the Seven Principles of Pu

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It is important to separate out the two strands of the principles of access when

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Once access has been gained to a Brunel University London mail account, an account-holder has access to such mailboxes within the account as may be served to the point of access — users should note that there may be certain limitations on access from beyond Brunel University London, or through the use of a mode of access other than that recommended as primary access-mode for the account.

Access to a mailbox owned by another account-holder may be granted (within the provisions of all relevant policies, regulations and legislation) for primary-mode access: there may be restrictions on access to such a mailbox if mail-account access had been gained by another means or from beyond Brunel University London.

The Director

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Approval of the Director of Human Resources will be necessary before any application made by a third party will be considered.

In support of these lines of authority, the Chief Operating Officer and the Vice-Principals have authority to act in the absence of primary authorities, as do, *in extremis*, the Director of the Computer Centre and the Secretary to the Council of Brunel University London.

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A user may, through a service enquiry, request a technical investigation which must result in access to that user's mailbox: this will be considered delegate access with the consent of the account-holder.

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Authority for amending or halting a technical investigation which has been requested by a mail account-holder may be given by any one of the following investigative authorities, *viz.*

- the Vice-Chancellor
- the Chief Operating Officer
- the Director of Human Resources
- the Director of the Computer Centre

The boundaries for such access will be set (and may be changed) in respect of each individual investigator by any one of the above investigative authorities

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- The technical capability of an investigative tool to facilitate accidental disclosure does not give the investigator automatic rights to use that tool to effect an accidental disclosure.

Any information gained by any member of an investigative team is privileged. Any investigative member of Brunel University London staff who operates beyond the scope of in-force rules with respect to accidental disclosure will be subject to the appropriate disciplinary procedures of Brunel University London.

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Messages held within the Brunel University London mail system which may be of evidential value in the pursuit of an internal disciplinary process may be disclosed appropriately as part of that process: this may require access beyond the account-holder's delegation. In addition to the involvement of those persons involved with the disciplinary process *per se*, there may be a requirement for technical investigators to become involved, and thus for access and accidental disclosure within the terms of such a technical investigation (qv).

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The principal authority for access in relation to a staff disciplinary process will be the Director of Human Resources.

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The principal authority for access in relation to an academically-related student disciplinary process will be the Head of Registry.

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The principal authority for access in relation to a non-academically-related student disciplinary process will be the Chief Operating Officer.

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In the course of normal working, there must be access to entities within any system for the purposes of technical investigation. In the case of mail accounts, the need to maintain the smooth operation of mailflow and allied services, and to plan and execute enhancements thereto, may involve competent technical staff of the University and its agents to require access without explicit delegation by the account-holder.

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Authority for initiating or halting such a technical investigation may be given by any one of the following investigative authorities, viz.

- the Vice-Chancellor
- the R the R hi lor

inappropriate disclosure or use of information gained through such accidental access will be handled through normal disciplinary channels and procedures.

See also *Professional immunity* below.

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In order to maintain continuity of Brunel University London's academic and corporate business, and in the safeguarding of the University's reputational integrity, Brunel University London will impose such management and filtering of messages and their contents as it sees fit. Great care will be taken in such management to avoid the inadvertent loss of genuine mail which advances the business of Brunel University London, but it is recognised that automatic filtering, however efficient, remains an inexact science. In common with all reasonable users of electronic mail, a Brunel University London user will commo

The countermeasures deployed by Brunel University London may include the searching for personation, whereby header fields may be altered to disguise the source of the message by suggesting a false source. Such countermeasures will inevitably trap any attempt by a Brunel University London user to suggest that mail from another source²¹ is in fact from within Brunel University London: since this is unacceptable use of a mail account, the Computer Centre will not relax its defences to accommodate such personation (or mail-forging), and may apply sanctions and/or invoke disciplinary proceedings as deemed appropriate.

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Confidentiality of electronic mail cannot be guaranteed. It is the responsibility of each member of staff to exercise their judgment when dealing with sensitive issues — extreme caution should be taken when using electronic communication to transmit confidential or sensitive matter (e.g., personal information relating to health, disability and criminal record).

Backup and archive files are kept under the control of Brunel University London for the sole purpose of disaster recovery and business continuity on a system-wide basis: they are not regarded as an 'offline repository' in any capacity, nor as a backtracking facility for the restitution of individual files following a reconsideration of the wisdom of any editing or disposal. These files are deemed to be discoverable

that mail account for Brunel University London mail on a regular and timely basis (including checking at appropriate intervals when off-

