

# Council provided email addresses for Councillors

08 March 2022

## INTRODUCTION

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Much of the council communication is now managed via email, including agendas, reports, budget updates etc from within the council, and correspondence and information to and from other groups.

Currently, councillors use their private email addresses, and the clerk uses one previously set up by the council. chadlingtonparishcouncil@gmail.com.

Following the introduction of new legislation regarding data protection and privacy (including GDPR Regulations 2018 and Data Protection Act 2018), the council has taken on the responsibility to ensure that all its data is handled in a lawful manner with the implementation of new council policies.<sup>1,2,3,4</sup>

The council needs to consider whether it is satisfied that its current method of email communication and storage is compatible with these policies and the new legislation, or whether it needs councillors to use council provided email addresses and mailboxes for council communications.

## FINDINGS

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The current legislation does not make it explicitly compulsory for parish councils to supply and insist that councillors use council email addresses, however it is regarded as best practice by authoritative bodies within our sector and other government organisations.

OALC recommend that councillors use council email addresses in their "GDPR and the Data Protection Bill made 'simple' for town and parish councils" briefing in September 2017,<sup>5</sup> and again in the OALC February 2018 update.<sup>6</sup>

The ICO in their 2019 "GDPR: A day in the life of Great Practice Parish Council" state that, "*The GDPR doesn't say which email systems for devices should be used. But if you're conducting council business involving personal data through your own email account, the council is responsible for the confidentiality, integrity and availability of the data.*"<sup>7</sup> In other documentation they note that "*councils must demonstrate that they are GDPR compliant, and the use of personal email accounts and privately-owned devices may make this more complicated.*"<sup>8</sup>

The ICO also note possible ramifications to the use of personal email addresses as regards Freedom of Information Request and Subject Access Requests, as information held in personal email accounts may be subject to FOI and SAR if it relates to official council business.<sup>9</sup> It advises that "*in order to avoid the complications of requesting searches of private email accounts ... that information on authority related business should be recorded on the authority's record keeping systems in so far as reasonably practicable.*"<sup>10</sup>

## ADVANTAGES TO THE COUNCIL OF USING COUNCIL EMAIL ADDRESSES

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- Council appears more professional
- Easier to demonstrate GDPR compliance
- Easier to undertake FOI requests
- Easier to undertake Subject Access Requests
- Easier to ensure data is deleted when a councillor resigns

## Chadlington Parish Council

- Easier for the community to contact councilors without infringing on the councillor's personal privacy
- Easier for the community to understand whether these are council or personal statements/views etc

### DISADVANTAGES TO THE COUNCIL OF USING COUNCIL EMAIL ADDRESSES

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- Set up cost if using a paid option
- Maintenance/renewal cost if using a paid option
- Clerk time to set up and administer
- New mailbox required for clerk if using a council domain
- Loss of control of communications sent out in the council's name as councillors are now able to send mail from the council

### ADVANTAGES TO COUNCILLORS OF USING COUNCIL EMAIL ADDRESSES

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- Separation of council and home life
- No potential FOI/SAR requests involving personal email account
- Council mail is less likely to be accidentally missed.
- Easier to manage retention and deletion.

### DISADVANTAGES TO COUNCILLORS OF USING COUNCIL EMAIL ADDRESSES

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- Need to remember to check the council email account

### SERVICE OPTIONS

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Free mailbox, eg Gmail, Hotmail

Advantages	Disadvantages
<ul style="list-style-type: none"><li>• Free</li><li>• Quick to set up</li></ul>	<ul style="list-style-type: none"><li>• Cannot use council domain as part of the email address</li><li>• May not be or remain GDPR compliant</li><li>• Limited technical support</li><li>• Council does not have control of mailbox</li><li>• Possible advertising</li></ul>

Purchased mailbox, eg Tutanota, Mailcore Pro

Advantages	Disadvantages
<ul style="list-style-type: none"><li>• Can be set up with a council domain</li><li>• Ensure GDPR compliance</li><li>• Better technical support</li><li>• Better security</li><li>• Better T&amp;Cs/SLA</li><li>• Better spam control</li><li>• Council retains overall control of mailbox</li></ul>	<ul style="list-style-type: none"><li>• Cost</li><li>• Need to purchase a mailbox for the clerk</li><li>• Time to set up contract</li></ul>

CLERK RECOMMENDATIONS

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- That the Council investigates the options for setting up mailboxes using a council domain. This domain also to be used for the website.
- That the Council amends the 2022-2023 budget to cover the cost of mailboxes for councillors and the Clerk.
- That Council agrees a naming format for the email addresses.

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<sup>1</sup> Chadlington Parish Council 'Privacy Policy'

<sup>2</sup> Chadlington Parish Council 'Data Protection Policy'

<sup>3</sup> Chadlington Parish Council 'Requests for Information Policy'

<sup>4</sup> Chadlington Parish Council 'Document Storage, Retention and Destruction Policy'

<sup>5</sup> Howlett, L, (2017) 'General Data Protection Regulation 2016 ("GDPR") and the Data Protection Bill made 'simple' for town and parish councils'. OALC, p.5.

<sup>6</sup> March 2018 update. OALC, p.3.

<sup>7</sup> ICO (2019) 'GDPR: A day in the life of ... Great Practice Parish Council – data audit and retention exercise'. ICO, p.2.

<sup>8</sup> ICO (2019) 'Fact sheet for councils: the use of personal email addresses and devices'. ICO, p.3.

<sup>9</sup> ICO (2017) 'Official information held in private email accounts: Freedom of Information Act'. ICO, p.2.

<sup>10</sup> ICO (2017) 'Official information held in private email accounts: Freedom of Information Act'. ICO, p.5.