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## COMMUNICATIONS & MONITORING POLICY

### 1.0 Purpose

Leask Marine Ltd's communications and monitoring facilities are provided by Leask Marine Ltd and RM Computing Ltd and made available to users for the purposes of the business. A certain amount of limited and responsible personal use by users is also permitted.

### 2.0 Scope

All use of Leask Marine Ltd's communications facilities is governed by the terms of this policy, and if the rules and procedures are not adhered to, then use of facilities may be curtailed or withdrawn and disciplinary action may thereafter follow. Any breach of this policy may lead to disciplinary action being taken and serious breaches may lead to summary dismissal.

### 3.0 Responsibilities and Requirements

#### 3.1 INTRODUCTION

At Leask Marine Ltd, communication plays an essential role in the conduct of our business. How you communicate with people not only reflects on you as an individual but also on us as an organisation. We value your ability to communicate with colleagues, clients and business contacts, and we invest substantially in information technology and communications systems which enable you to work more efficiently. We trust you to use them responsibly.

This policy applies to all individuals working for Leask Marine Ltd who use our communications facilities, whether directors, managers, supervisors, consultants, full-time, part-time or fixed-term employees, trainees, contract staff, temporary staff, agency or home workers.

Although the detailed discussion is limited to use of email and internet facilities, the general principles underlying all parts of this policy also apply to telephone communications, fax machines, copiers and scanners.

#### 3.2 GENERAL PRINCIPLES

You must use Leask Marine Ltd's information technology and communications facilities sensibly, professionally, lawfully, and consistently with your duties, with respect for your colleagues and for Leask Marine Ltd and in accordance with this policy and Leask Marine's other rules and procedures.

All information relating to our clients and our business operations is confidential. You must treat our paper-based and electronic information with utmost care.

Many aspects of communication are protected by intellectual property rights which are infringed by copying. Downloading, uploading, posting, copying, possessing, processing and distributing material from the internet may be an infringement of copyright or of other intellectual property rights.

Particular care must be taken when using email, because all expressions of fact, intention and opinion in an email may bind you and/or Leask Marine Ltd and can be produced in court in the same way as other kinds of written statements.

The advantage of the internet and email is that they are extremely easy and informal ways of accessing and disseminating information, but this means that it is also easy to send out ill-considered statements. All messages sent on email systems or via the internet should demonstrate the same professionalism as that which would be taken when writing a letter or a fax. You must not use these media to do or say anything which would be subject to disciplinary or legal action in any other context such as sending any discriminatory (on the grounds of a person's sex, race, disability, age, sexual orientation, religion or belief), defamatory, or other unlawful material (for example, any material that is designed to be, or could be construed as, bullying or harassment by the recipient). If you are in doubt about a course of action, take advice from your supervising line manager.

### 3.3 USE OF ELECTRONIC MAIL

#### 3.3.1 Generally

Do not amend any messages received and, except where specifically authorised by the other person, do not access any other person's in-box or other email folders nor send any email purporting to come from another person.

It is good practice to re-read and check an email before sending.

If you copy an email to others, it may breach the Data Protection Act if it reveals all the recipients' email addresses to each recipient (e.g. in the case of marketing and mailing lists), and it can also breach duties of confidentiality. Accordingly, it may be appropriate to use the 'Bcc' (blind carbon copy) field instead of the 'Cc' (carbon copy) field when addressing an email to more than one recipient. If in doubt, seek advice from your line manager.

#### 3.3.2 Business use

If the email message or attachment contains information which is time-critical, bear in mind that an email is not necessarily an instant communication and consider whether it is the most appropriate means of communication.

If you have sent an important document, always telephone to confirm that the email has been received and read, or ask for a confirmation of receipt in the e-mail.

In every instance, file a hard copy of any email (including any attachments) sent to or received from the client before filing or deleting the electronic copy. The same applies to all internal email transmissions concerning client matters.

In light of the security risks inherent in some web-based email accounts, you must not email business documents to your personal web-based accounts. You may send documents to a client's web-based account if you have the client's express written permission to do so. However, you should not send price sensitive or highly confidential documents to a client's personal web-based email account, without very good express reason.

When you need to work on documents remotely they can be saved to a memory stick or retrieved over the internet via the Dropbox website.

### 3.3.3 Personal Use

Although Leask Marine's email facilities are provided for the purposes of our business, we accept that you may occasionally want to use them for your own personal purposes. This is permitted on the condition that all the procedures and rules set out in this policy are complied with. Be aware, however, that if you choose to make use of our facilities for personal correspondence, you can expect very little privacy because Leask Marine may need to monitor communications.

Under no circumstances may Leask Marine's facilities be used in connection with the operation or management of any business other than that of Leask Marine Ltd or a client of Leask Marine Ltd unless express permission has been obtained from your line manager.

You must ensure that your personal email use:

- ☉ does not interfere with the performance of your duties;
- ☉ does not take priority over your work responsibilities;
- ☉ is minimal and limited to taking place substantially outside of normal working hours (i.e. during any breaks which you are entitled to or before or after your normal hours of work);
- ☉ does not cause unwarranted expense or liability to be incurred by Leask Marine Ltd;
- ☉ does not have a negative impact on Leask Marine Ltd in any way; and
- ☉ is lawful and complies with this policy.

As with any correspondence made using Leask Marine's electronic facilities, you can delete personal email from the live system, but they will have been copied (perhaps many times) onto the backup and in that form will be retained indefinitely. It would be a very difficult, costly and time-consuming exercise to sift all those tapes in order to delete an individual's personal email, and if we were to agree to attempt this, it would be at our convenience, and only on the basis that all the very considerable costs involved were paid in advance by the person making the request.

By making personal use of our facilities for sending and receiving email you signify your agreement to abide by the conditions imposed for their use and signify your consent to Leask Marine Ltd monitoring your personal email in accordance with this policy.

### 3.4 USE OF INTERNET

We trust you to use the internet sensibly. Bear in mind at all times that, when visiting a website, information identifying your PC may be logged. Therefore, any activity you engage in via the internet may affect Leask Marine Ltd.

We recognise the need for individuals to have to carry out some personal tasks during working hours, e.g. for internet banking or online shopping, and this is permitted subject to the same rules as are set out for personal email use in this policy. If these activities require additional software to be installed onto your PC then you should request permission and ensure the company's IT Support are aware of any implications to the systems.

You are strongly discouraged from providing your Leask Marine Ltd's email address when using public websites for non-business purposes, such as online shopping.

You must not:

- ☉ introduce packet-sniffing or password-detecting software;
- ☉ seek to gain access to restricted areas of Leask Marine's network;
- ☉ access or try to access data which you know or ought to know is confidential;
- ☉ intentionally or recklessly introduce any form of spyware, computer virus or other potentially malicious software; nor
- ☉ carry out any hacking activities

- ☉ use Leask Marine's systems to participate in any internet chat room or post messages on any external website, including any message board or blog

For your information, breach of items listed above, would not only contravene the terms of this policy but could in some circumstances also amount to the commission of an offence under the Computer Misuse Act 1990, which creates the following offences:

- ☉ unauthorised access to computer material i.e. hacking;
- ☉ unauthorised modification of computer material; and
- ☉ unauthorised access with intent to commit or facilitate the commission of further offences.

### 3.5 MISUSE OF LEASK MARINE'S FACILITIES AND SYSTEMS

Misuse of Leask Marine's facilities and systems, including its telephone, email and internet systems, in breach of this policy will be treated seriously and dealt with in accordance with Leask Marine's disciplinary procedure. In particular, viewing, accessing, transmitting, posting, downloading or uploading any of the following materials in the following ways, or using any of Leask Marine's facilities, will amount to gross misconduct capable of resulting in summary dismissal (this list is not exhaustive):

- ☉ material which is sexist, racist, homophobic, xenophobic, pornographic, paedophilic or similarly discriminatory and/or offensive;
- ☉ offensive, obscene, derogatory or criminal material or material which is liable to cause embarrassment to Leask Marine Ltd and any of its staff or its clients or bring the reputation of Leask Marine Ltd and any of its staff or its clients into disrepute;
- ☉ any defamatory material about any person or organisation or material which includes statements which are untrue or of a deceptive nature;
- ☉ any material which, by intent or otherwise, harasses the recipient;
- ☉ any other statement which is designed to cause annoyance, inconvenience or anxiety to anyone;
- ☉ any material which violates the privacy of others or unfairly criticises or misrepresents others;
- ☉ confidential information about Leask Marine Ltd and any of its staff or clients;
- ☉ any other statement which is likely to create any liability (whether criminal or civil, and whether for you or Leask Marine Ltd);
- ☉ material in breach of copyright and/or other intellectual property rights;
- ☉ online gambling; or
- ☉ unsolicited commercial or advertising material, chain letters or other junk mail of any kind.

If Leask Marine has evidence of the examples of misuse set out above it reserves the right to undertake a more detailed investigation in accordance with its disciplinary procedures.

### 3.6 SYSTEM SECURITY

Security of our IT systems is of paramount importance. We owe a duty to all of our clients to ensure that all of our business transactions are kept confidential. If at any time we need to rely in court on any information which has been stored or processed using our IT systems it is essential that we are able to demonstrate the integrity of those systems. Every time you use the system you take responsibility for the security implications of what you are doing.

Leask Marine's system or equipment must not be used in any way which may cause damage, or overloading or which may affect its performance or that of the internal or external network.

Keep all confidential information secure, use it only for the purposes intended and do not disclose it to any unauthorised third party.

Keep your system passwords safe. Do not disclose them to anyone. Those who have a legitimate reason to access other users' inboxes must be given permission from that other user. Leask Marine's external IT

Support will provide guidance on how to do this if you have disclosed your password to anyone else to ensure that you change your password once it is no longer needed.

Copies of confidential information should be printed out only as necessary, retrieved from the printer immediately, and stored or destroyed in an appropriate manner.

You should not download or install software from external sources without having first received the necessary authorisation from your line manager.

No external device or equipment, including discs and other data storage devices, should be run on or connected to Leask Marine's systems without the prior notification to and approval of your line manager.

You should always exercise caution when opening emails from unknown external sources or where, for any reason, an email appears suspicious. Leask Marine's I.T. Company RM Computing should be informed immediately in such circumstances.

### 3.7 WORKING REMOTELY

This part of the policy and the procedures in it apply to your use of our systems, to your use of our laptops, and also to your use of your own computer equipment or other computer equipment (e.g. client's equipment) whenever you are working on Leask Marine's business away from Leask Marine's premises (working remotely).

When you are working remotely you must:

- 🕒 password protect any work which relates to Leask Marine's business so that no other person can access your work;
- 🕒 position yourself so that your work cannot be seen by any other person;
- 🕒 take reasonable precautions to safeguard the security of our equipment, and keep your passwords secret;
- 🕒 inform the police and our IT Company RM Computing (as appropriate) as soon as possible if either a Leask Marine laptop in your possession or any computer equipment on which you do Leask Marine's work, even if this is personal IT equipment, has been lost or stolen; and
- 🕒 ensure that any work which you do remotely is saved on Leask Marine's Dropbox system or is transferred to the system as soon as reasonably practicable.
- 🕒 Pocket computers, mobile phones and similar hand-held devices are easily lost or stolen so you must password-protect access to any such devices used by you on which is stored any personal data of which Leask Marine is a data controller or any information relating our business, our clients or their business.

### 3.8 PERSONAL WEBSITES & SOCIAL MEDIA

This part of the policy and procedures in it apply to content that you publish on the internet (e.g. your contributions to blogs, message boards and social networking or content-sharing sites) even if created, updated, modified or contributed to outside of working hours or when using personal IT systems.

Leask Marine Ltd recognise that in your own private time you may wish to publish content on the internet. For the avoidance of doubt, such activities are expressly prohibited during work time or using Leask Marine's systems.

If you post any content to the internet, written, vocal or visual, which identifies, or could identify, you as a member of Leask Marine Ltd staff and/or you discuss your work or anything related to Leask Marine Ltd or its business, customers or staff, Leask Marine Ltd expects you, at all times, to conduct yourself appropriately and in a manner which is consistent with your contract of employment and with Leask Marine's policies and

procedures. It should be noted that simply revealing your name or a visual image of yourself could be sufficient to identify you as an individual who works for Leask Marine Ltd.

If your postings clearly identifies that you work for Leask Marine Ltd and you express any idea or opinion then you should add a disclaimer such as "these are my own personal views and not those of Leask Marine".

The following matters will be treated as gross misconduct capable of resulting in summary dismissal (this list is not exhaustive):

- Ⓢ Revealing confidential information about Leask Marine Ltd in a personal online posting. This might include revealing information relating to Leask Marine's clients, business plans, policies, staff, financial information or internal discussions.
- Ⓢ Criticising or embarrassing Leask Marine, its clients or its staff in a public forum (including any website). You should always respect the reputation of Leask Marine Ltd and the privacy and feelings of others. If you have a genuine complaint to make about a colleague or workplace matter the correct procedure is to raise a grievance using Leask Marine's grievance procedure.
- Ⓢ Accessing or updating a personal social media site or website from Leask Marine's computers or during work time.
- Ⓢ During or after an accident or serious incident, employees are not to post information, or to engage in online discussions, about the event.

If you think that something on a website could give rise to a conflict of interest and in particular concerns issues of impartiality or confidentiality required by your role then this must be discussed with your line manager.

If someone from the media or press contacts you about your online publications that relate to Leask Marine Ltd you should talk to your line manager before responding and Leask Marine's Managing director must be consulted.

Online publications which do not identify the author as a member of Leask Marine Ltd staff and do not mention Leask Marine and are purely concerned with personal matters will normally fall outside the scope of Leask Marine's communications policy.

#### **4.0 Monitoring of communications by Leask Marine**

Leask Marine Ltd is ultimately responsible for all business communications but subject to that will, so far as possible and appropriate, respect your privacy and autonomy while working. Leask Marine Ltd may monitor your business communications for reasons which include:

- Ⓢ providing evidence of business transactions;
- Ⓢ ensuring that Leask Marine's business procedures, policies and contracts with staff are adhered to;
- Ⓢ complying with any legal obligations;
- Ⓢ monitoring standards of service, staff performance, and for staff training;
- Ⓢ preventing or detecting unauthorised use of Leask Marine's communications systems or criminal activities; and
- Ⓢ maintaining the effective operation of Leask Marine's communications systems.

Leask Marine Ltd will monitor telephone, email and internet traffic data (i.e. sender, receiver, subject; non-business attachments to email, numbers called and duration of calls; domain names of websites visited, duration of visits, and files downloaded from the internet) at a network level (but covering both personal and business communications) for the purposes already specified in this policy. For the purposes of your maintenance of your own personal privacy, you need to be aware that such monitoring might reveal sensitive personal data about you. For example, if you regularly visit websites which detail the activities of a

particular political party or religious group, then those visits might indicate your political opinions or religious beliefs. By carrying out such activities using Leask Marine's facilities you consent to our processing any sensitive personal data about you which may be revealed by such monitoring.

Sometimes it is necessary for Leask Marine Ltd to access your business communications during your absence, such as when you are away because you are ill or while you are on holiday. Unless your mailbox settings are such that the individuals who need to do this already have permission to view your inbox, access will be granted only with the permission of one of the persons authorised to grant such access.

You are responsible to anybody outside Leask Marine Ltd who sends to you, or receives from you, a personal email, for the consequences of any breach of their privacy which may be caused by your failure to file your personal email.

In certain very limited circumstances we may, subject to compliance with any legal requirements, access personal emails. Examples are when we have reasonable suspicion that they may reveal evidence of unlawful activity, including instances where there may be a breach of a contract with Leask Marine Ltd.

All incoming email are scanned by RM Computing on behalf of Leask Marine Ltd, using virus-checking software. The software will also block unsolicited marketing email (spam) and email which have potentially inappropriate attachments. If there is a suspected virus in an email which has been sent to you, the sender will automatically be notified and you will receive notice that the email is not going to be delivered to you because it may contain a virus.

#### **5.0 Compliance with this Policy**

Failure to comply with this policy may result in disciplinary action being taken against you under Leask Marine's disciplinary procedures, which may include summary dismissal, and/or in the withdrawal of permission to use the firm's equipment for personal purposes. If there is anything in this policy that you do not understand, please discuss it with your line manager.

Please note that the procedures and policies outlined in this policy, and in any related policy, may be reviewed or changed at any time, and you will be alerted to important changes that may affect you.

#### **6.0 Review and Monitoring**

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998, and the Computer Misuse Act 1990, and will be reviewed as part of the Company's internal audit programme.

#### **7.0 References**

Data Protection Act 1998  
Computer Misuse Act 1990



Signed:

Name: Douglas Leask, Managing Director

Date: 1<sup>st</sup> January 2021