

## 1. INTRODUCTION

1.1 Van Elle Ltd.'s communications facilities are provided by Van Elle 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. All use of our communications facilities is governed by the terms of this policy.

1.2 At Van Elle 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.

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

1.4 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**.

Note that some elements of personal use of Van Elle Ltd.'s communications facilities are specifically addressed at items 3.3, 4.3 to 4.5, 9.4 and 9.5, and 10.5. Please read this policy carefully.

## 2. GENERAL PRINCIPLES

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

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

2.3 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.

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

2.5 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. 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/divisional director.

## 3. USE OF ELECTRONIC MAIL

## 3.1 Generally

3.1.1 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.

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

3.1.3 If you copy an email to others, it may breach the General Data Protection Regulations if it reveals all the recipients' email addresses to each recipient (e.g. in the case of marketing and mailing lists).

It can also breach duties of confidentiality (e.g. in the case of internal emails to members of a staff benefit scheme). 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/divisional director.

## 3.2 Business use

3.2.1 Each business email should include the appropriate Van Elle Ltd business reference.

3.2.2 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.

3.2.3 If you have sent an important document, always telephone to confirm that the email has been received and read.

3.2.4 In every instance, file in the appropriate job 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.

3.2.5 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, under no circumstances should you send price sensitive or highly confidential documents to a client's personal web-based email account, even if the client asks you to do so.

## 3.3 Personal Use

3.3.1 Although Van Elle Ltd.'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 Van Elle Ltd may need to monitor communications for the reasons given in item 9.1.

You will greatly increase the privacy of any personal email by complying with the procedures set out in item 3.3.3 below.

3.3.2 Under no circumstances may Van Elle Ltd.'s facilities be used in connection with the operation or management of any business other than that of Van Elle Ltd or a client of Van Elle Ltd.

3.3.3 All personal email you send from Van Elle Limited's facilities must be marked PERSONAL in the subject heading, and all personal email sent or received must be filed in a separate folder marked "Personal" in your inbox should you wish to retain it after reading. Contact IT Support if you need guidance on how to set up and use a personal folder. All email contained in your inbox and your sent items box are deemed to be business communications for the purposes of monitoring (see item 9.4).

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 Van Elle Ltd;

- does not have a negative impact on Van Elle Ltd in any way; and
- is lawful and complies with this policy.

3.3.4 As with any correspondence made using Van Elle Ltd.'s electronic facilities, you can delete personal email from the live system, but they will have been copied (perhaps many times) onto the backup tapes 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.

3.3.5 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 Van Elle Ltd monitoring your personal email in accordance with item 9 of this policy.

#### 4. USE OF INTERNET AND INTRANET

4.1 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 Van Elle Ltd.

4.2 We recognise the need for individuals to have to carry out some personal tasks during working hours, e.g. for internet banking, and this is permitted subject to the same rules as are set out for personal email use in item 3.3.4 of this policy.

4.3 You are strongly discouraged from providing your Van Elle Ltd email address when using public websites for non-business purposes. This must be kept to a minimum and done only where necessary, as it results in you and Van Elle Ltd receiving substantial amounts of unwanted email.

4.4 Access to certain websites is blocked. If you have a particular business need to access such sites, please contact the IT Manager.

You must not:

- 4.4.1 introduce packet-sniffing or password-detecting software;
- 4.4.2 seek to gain access to restricted areas of Van Elle Ltd.'s network;
- 4.4.3 access or try to access data which you know or ought to know is confidential;
- 4.4.4 intentionally or recklessly introduce any form of spyware, computer virus or other potentially malicious software; nor
- 4.4.5 carry out any hacking activities
- 4.4.6 use Van Elle Ltd.'s systems to participate in any internet chat room or post messages on any external website, including any message board or blog, unless expressly permitted in writing to do so by Van Elle Ltd

4.5 For your information, breach of items 4.4.1 to 4.4.6 (inclusive) 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:

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

#### 5. MISUSE OF VAN ELLE LTD'S FACILITIES AND SYSTEMS

5.1 Misuse of Van Elle Ltd.'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 Van Elle Ltd.'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 Van Elle Ltd.'s facilities, will amount to gross misconduct capable of resulting in summary dismissal (this list is not exhaustive):

- 5.1.1 material which is sexist, racist, homophobic, xenophobic, pornographic, paedophilic or similarly discriminatory and/or offensive;
- 5.1.2 offensive, obscene, derogatory or criminal material or material which is liable to cause embarrassment to Van Elle Ltd and any of its staff or its clients or 5 bring the reputation of Van Elle Ltd and any of its staff or its clients into disrepute;
- 5.1.3 any defamatory material about any person or organisation or material which includes statements which are untrue or of a deceptive nature;
- 5.1.4 any material which, by intent or otherwise, harasses the recipient;
- 5.1.5 any other statement which is designed to cause annoyance, inconvenience or anxiety to anyone;
- 5.1.6 any material which violates the privacy of others or unfairly criticises or misrepresents others;
- 5.1.7 confidential information about Van Elle Ltd and any of its staff or clients;
- 5.1.8 any other statement which is likely to create any liability (whether criminal or civil, and whether for you or Van Elle Ltd);
- 5.1.9 material in breach of copyright and/or other intellectual property rights;
- 5.1.10 online gambling; or
- 5.1.11 unsolicited commercial or advertising material, chain letters or other junk mail of any kind.

If Van Elle Ltd 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.

## 6. SYSTEM SECURITY

6.1 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.

6.2 Van Elle Ltd.'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.

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

6.4 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 and the IT Manager. IT Support will provide guidance on how to do this. If you have disclosed your password to anyone else (e.g. in response to a request from the IT staff) ensure that you change your password once the IT staff no longer need it. Contact IT Support for guidance on how to do this.

6.5 If a document is highly commercially confidential or price sensitive, you should mark it as "private and confidential" and password-protect the document itself. Bear in mind that documents which are NOT marked "private and confidential" can be accessed by all users of the network.

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

6.7 You should not download or install software from external sources.

6.8 No external device or equipment, including discs and other data storage devices, should be run on or connected to Van Elle Ltd.'s systems without the prior notification to and approval of the IT Manager.

6.9 You should always exercise caution when opening emails from unknown external sources or where, for any reason, an email appears suspicious. The IT department should be informed immediately in such circumstances.

## 7. WORKING REMOTELY

7.1 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 Van Elle Ltd.'s business away from Van Elle Ltd.'s premises (working remotely).

When you are working remotely you must:

- 7.1.1 password protect any work which relates to Van Elle Ltd.'s business so that no other person can access your work;
- 7.1.2 position yourself so that your work cannot be seen by any other person;
- 7.1.3 take reasonable precautions to safeguard the security of our equipment, keep your laptop locked securely in the boot when travelling by car, and keep your passwords secret;
- 7.1.4 inform the police and our IT department (as appropriate) as soon as possible if either a Van Elle Ltd laptop in your possession or any computer equipment on which you do Van Elle Ltd.'s work, even if this is personal IT equipment, has been lost or stolen; and
- 7.1.5 ensure that any work which you do remotely is saved on Van Elle Ltd.'s system or is transferred to our system as soon as reasonably practicable.

7.2 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 Van Elle Ltd is a data controller or any information relating our business, our clients or their business.

## 8. PERSONAL BLOGS AND WEBSITES

8.1 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.

8.2 Van Elle 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 Van Elle Ltd.'s systems.

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

8.4 If you already have a personal blog or website which indicates in any way that you work for Van Elle Ltd you should report this to your line manager/divisional director.

8.5 If you intend to create a personal blog or website that will say that you work for Van Elle Ltd, or in any way could identify you as someone who works for Van Elle Ltd then you should report this to your line manager/divisional director.

8.6 If a blog posting clearly identifies that you work for Van Elle 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 Van Elle Ltd".

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

8.7.1 Revealing confidential information about Van Elle Ltd in a personal online posting. This might include revealing information relating to Van Elle Ltd.'s clients, business plans, policies, staff, financial information or internal discussions. Consult your manager if you are unclear about what might be confidential.

8.7.2 Criticising or embarrassing Van Elle Ltd, its clients or its staff in a public forum (including any website). You should respect the reputation of Van Elle Ltd and the privacy and feelings of others at all times. If you have a genuine complaint to make about a colleague or workplace matter the correct procedure is to raise a grievance using Van Elle Ltd.'s grievance procedure.

8.8 If you think that something on a blog or 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/divisional director.

8.9 If someone from the media or press contacts you about your online publications that relate to Van Elle Ltd you should talk to your line manager/divisional director before responding and Van Elle Ltd.'s marketing department must be consulted.

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

## 9. MONITORING OF COMMUNICATIONS BY VAN ELLE LTD

9.1 Van Elle 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. Van Elle Ltd may monitor your business communications for reasons which include:

9.1.1 providing evidence of business transactions;

9.1.2 ensuring that Van Elle Ltd.'s business procedures, policies and contracts with staff are adhered to;

9.1.3 complying with any legal obligations;

9.1.4 monitoring standards of service, staff performance, and for staff training;

9.1.5 preventing or detecting unauthorised use of Van Elle Ltd.'s communications systems or criminal activities; and

9.1.6 maintaining the effective operation of Van Elle Ltd.'s communications systems.

9.2 Van Elle 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 specified at item 9.1. 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 Van Elle Ltd.'s facilities you consent to our processing any sensitive personal data about you which may be revealed by such monitoring.



9.3 Sometimes it is necessary for Van Elle 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.

9.4 Any emails which are not stored in your "Personal" folder in your mailbox and which are not marked PERSONAL in the subject heading will be treated, for the purpose of availability for monitoring, as business communications since we will have no way of knowing that they were intended to be personal. Therefore, you must set up a rule to automate the routing of personal email to your personal folder – ask IT Support for guidance on how to do this. Furthermore, there is a risk that any person authorised to access your mailbox may have their own preview pane option as a default setting, which would reveal the content of any of your personal email not filed in your "Personal" folder, whether or not such email are marked PERSONAL. It is up to you to prevent the inadvertent disclosure of the content of personal email by filing your personal email in accordance with this policy. In particular, you are responsible to anybody outside Van Elle 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.

9.5 In certain very limited circumstances we may, subject to compliance with any legal requirements, access email marked PERSONAL. 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 Van Elle Ltd.

## 10. DATA PROTECTION

10.1 As a member of Van Elle Ltd who uses our communications facilities, you will inevitably be involved in processing personal data for Van Elle Ltd as part of your job. Data protection is about the privacy of individuals and is governed by the General Data Protection Regulations 2016. The regulation defines, among others, terms as follows:

- a. 'personal data' means any information relating to a data subject who can be identified, directly or indirectly, by reference to a name, an identification number, location data, an online identifier or to the physical, physiological, genetic, mental, economic, cultural or social identity of that person;
- b. 'processing' means any operation performed on personal data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- c. 'restriction of processing' means the marking of stored personal data with the aim of limiting their processing in the future;
- d. 'profiling' means any form of automated processing of personal data to evaluate personal aspects relating to a person, to analyse or predict aspects concerning that person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;
- e. 'pseudonymisation' means the processing of personal data so that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable person;
- f. 'filing system' means any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis;
- g. 'controller' means the person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data;

- h. 'processor' means a person, public authority, agency or other body which processes personal data on behalf of the controller;
- i. 'recipient' means a person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.
- j. 'third party' means a person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- k. 'consent' of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- l. 'personal data breach' means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- m. 'genetic data' means personal data relating to the inherited or acquired genetic characteristics of a person which give unique information about the physiology or the health of that person and which result, in particular, from an analysis of a biological sample from the person in question;
- n. 'biometric data' means personal data resulting from specific technical processing relating to the physical, physio- logical or behavioural characteristics of a person, which allow or confirm the unique identification of that person, such as facial images or dactyloscopy (fingerprint) data;
- o. 'data concerning health' means personal data related to the physical or mental health of a person, including the provision of health care services, which reveal information about his or her health status;
- p. 'main establishment' means:
  - i. as regards a controller, means the place of its central administration
  - ii. as regards a processor, means where the main processing activities take place
- q. 'representative' means a person who is designated to represent the controller or processor
- r. 'enterprise' means a person engaged in an economic activity
- s. 'group of undertakings' means a controlling undertaking and its controlled undertakings;
- t. 'binding corporate rules' means personal data protection policies which are adhered to by a controller or processor for transfer of personal data to a controller or processor in one or more third countries within a group of undertakings, or enterprises engaged in a joint economic activity;
- u. 'supervisory authority' means an independent public authority which is established by a Member State pursuant to Article 51;
- v. 'cross-border processing' means either:
  - i. processing of personal data which takes place in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or
  - ii. processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union, but which substantially affects or is likely to substantially affect data subjects in more than one Member State.



10.2 Whenever and wherever you are processing personal data for Van Elle Ltd you must keep it secret, confidential and secure, and you must take particular care not to disclose them to any other person (whether inside or outside Van Elle Ltd) unless authorised to do so. Do not use any such personal data except as authorised by Van Elle Ltd for the purposes of your job. If in doubt get help from our Data Protection Officer or your [line manager/departmental head/partner].

10.3 The General Data Protection Regulation gives every individual the right to see all the information which any data controller holds about them. Bear this in mind when recording personal opinions about someone, whether in an email or otherwise. It is another reason why personal remarks and opinions must be made or given responsibly, and they must be relevant and appropriate as well as accurate and justifiable.

10.4 For your information, it is a criminal offence, under the General Data Protection Regulation, to obtain or disclose personal data without the consent of the data controller. "Obtaining" here includes the gathering of personal data by employees at work without the authorisation of the employer. You may be committing this offence if without authority of Van Elle Ltd: you exceed your authority in collecting personal data; you access personal data held by Van Elle Ltd; to control it or you pass them on to someone else (whether inside or outside Van Elle Ltd).

10.5 While Van Elle Ltd is a data controller of all personal data processed for the purposes of our business, you may be either a data controller or data processor of personal data processed in any personal email which you send or receive, therefore if you use our communications facilities for the purpose of a business which is not Van Elle Ltd.'s business you will be in breach of this policy and you will take on extensive personal liability under the General Data Protection Regulation.

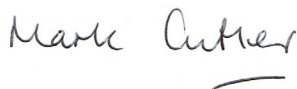
10.6 To help you understand and comply with Van Elle Ltd.'s obligations as a data controller under the General Data Protection Regulation you may be offered, and you may also request, training.

Whenever you are unsure of what is required or you otherwise need guidance in data protection, you should consult our Data Protection Officer.

## 11. COMPLIANCE WITH THIS POLICY

11.1 Failure to comply with this policy may result in disciplinary action being taken against you under Van Elle Ltd.'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/divisional director.

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



Signed  
Mark Cutler - Chief Executive Officer

Date 14.09.2021  
Review Date 14.09.2022