



Birmingham City Council

Use of Internet Services by the Public

If you have any enquiries about this Policy, contact the Corporate Information Management Team on 675 1431 or 464 2877

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1. OVERVIEW AND PUBLICATION PARTICULARS

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Document Approval by Birmingham City Council

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BTCG	Birmingham City Council	Authorising Body	17/04/2014

Overview

Authority ¹	Birmingham City Council – Assistant Director Performance and Information
Owner ²	Birmingham City Council – Information and Strategy Manager
Scope ³	All staff in Birmingham City Council and Service Birmingham must be aware of, and adhere to, this Policy.
Review period ⁴	This document will be reviewed at least annually or more often if justified by a change in circumstances.
Related Birmingham City Council documents	Data Protection Policy
Related Service Birmingham documents	None
<i>Legislation or Regulatory Control references</i> eg <i>BS ISO/IEC 27001:2005</i> <i>BS 7799-2:2005</i>	Control Reference A5.1 Information Security Policy A7.1 Responsibility for assets A7.1.3 Acceptable use of assets A8.2 Human resources security during employment A10.3.1 Capacity management A10.4 Protection against malicious and mobile code A10.8 Exchange of information A10.9 Electronic commerce services A10.10 Monitoring A15.2 Compliance with security policies and standards, and technical compliance

¹ AUTHORITY: The person or organisation who is responsible for enforcing this Policy

² OWNER: The organisational position of the person who has rights to authorise changes to, or disposal of, this Policy

³ SCOPE: The organisations or persons to whom the Policy applies

⁴ REVIEW PERIOD: How frequently the Policy should be reviewed

2. PURPOSE OF THE POLICY

Birmingham City Council provides public access to Internet services for its citizens and customers as part of its objective to ensure the maximum amount of access to knowledge, information and collaboration by its citizens and customers.

This Policy is intended to provide assurance that security risks to both the users of the service and the City Council are kept to a realistic minimum and that users of the service can continue to receive a reliable and comprehensive service.

3. DEFINITIONS

There are no definitions specific to this Policy.

4. POLICY PARTICULARS

Scope:

This policy applies to all public Internet services provided by the council through any of its offices, libraries or other facilities.

The public Internet service may be provided either directly by the provision of computers or other terminals or as a set of services available over wireless or other forms of connectivity. In the case of the latter services, the council may require additional safeguards or restrictions on their use. The rules governing the types of equipment and connection that may be made are detailed in Appendices 1 and 2.

Specific council-provided public Internet services (the People's Network in libraries, for instance) may add additional rules or conditions as long as they are consistent with this general policy.

Public wi-fi services provided by commercial suppliers contracted to the council will implement a comparable policy.

Acceptance of this policy in its entirety is a condition of being permitted to use the services provided.

Disclaimer:

The council is conscious of its obligations towards the users of these services and will use its reasonable endeavours to ensure the availability of these services at any advertised times but users and potential users should not rely on their availability and base any significant decisions on their being available.

The council makes these services available solely in pursuit of the objectives stated in this policy. The services are not designed to support business or commercial activities and the council will accept no liability for any business or commercial loss or disruption experienced by anyone who attempts to use them for these or similar purposes.

5. GENERAL RULES FOR INTERNET USE

Authorised Use:

The public Internet facilities are provided purely in support of the council's objective of contributing to the development of well-informed and skilled citizens, residents and customers. Access to these facilities is granted only on condition that the individual formally agrees to the terms of this Policy and any specific rules which are notified to those who want to make use of the service.

The council **may** require any prospective user of the service to provide reasonable proof of a valid identity before being allowed access to any public Internet service. In the case of public Internet services provided in libraries, users may be required to produce a valid library borrower's card in their name.

Where anonymous use of public Internet service is provided, only a restricted set of services will be made available and these restrictions will be made clear to prospective users before they use the services.

Prohibited Activities and Sites:

The council does not operate a system of censorship on the use of the Internet services by the public. However, certain activities and Internet sites are prohibited or blocked to safeguard both the Internet service from malicious attack or to comply with legal constraints on the display of content.

Individuals who are granted the right to use the public Internet services are permitted to do so, on the following conditions:

- 1) **Internet Users *must not*** use Internet facilities to break the law or incite crime. Birmingham City Council will co-operate with law enforcement agencies in such cases.
- 2) **Internet Users *must not*** gain unauthorised access or make unauthorised modifications to computer material (hacking).
- 3) **Internet Users *must take all reasonable care not*** to distribute copyright material in breach of copyright.
- 4) **Internet Users *must take all reasonable care not*** to distribute defamatory material.
- 5) **Internet Users *must not*** display, access, use, extract, store, distribute, print, reveal or otherwise process information which contravenes the law.

Users of the public Internet service need to be aware that, subject to the appropriate legal safeguards (including the production of valid legal instruments) legitimate requests by law enforcement agencies for information on the use of the facilities by individuals will be granted.

6. MONITORING

The council has no intention of recording what the users of the public Internet services access. It does however need to monitor the use of the services to ensure that users of the services adhere to the rules and that any breaches of the rules or of the council's information security controls and all serious security incidents or potential offences are detected and investigated.

The council may also be obliged to disclose information on the use of these services by both individual machines or by individual user if requested in the proper legal manner by the police or other law enforcement agencies. The council will provide this information only in response to a valid, legally proper request.

The council will respect all the relevant rights and protections due to individuals under the Data Protection Act 1998, the Human Rights Act 1998 and all similar legal provisions.

7. EXCEPTIONS

There are no exceptions to this Policy.

8. APPENDICES

Appendix 1

Policy on Public Wi-Fi access in libraries and other community buildings:

1. Wi-Fi access is provided as a free public service by Birmingham City Council on a 'reasonable endeavours' basis with no guarantee of service.
2. All Wi-Fi users should have up-to-date antivirus software installed on their computers.
3. Users are responsible for setting up their equipment to access Birmingham City Council's Libraries' Wi-Fi or other community networks. The appropriate council staff can provide general information or handouts to help members of the public connect to the Wi-Fi network. Staff will not normally provide technical assistance and will not assume any responsibility for personal hardware configurations, security or changes to data files resulting from connection to the public Wi-Fi network. It is recommended that users make a backup copy of any settings changed before configuring their equipment for use on the public Wi-Fi network.
4. The public wireless networks are not secure. Users of these services need to be aware that any information transmitted (including credit card numbers, passwords, and other sensitive information) could potentially be intercepted by another computer user.
5. All council services providing Wi-Fi access filter all Internet access. This filter blocks those sites that breach Birmingham City Council's Public Access Internet Use Policy.
6. The public Wi-Fi networks are subject to periodic maintenance and unforeseen downtime.
7. Birmingham City Council assumes no responsibility for damage to or loss of equipment; members of the public must keep their equipment with them at all times.
8. Printing access is not available via the Wi-Fi network. If the user desires to print, the file can be saved to a flash/thumb drive or emailed to an appropriate home e-mail account and printed from a public computer for a nominal fee per page.
9. Any attempt to circumvent these procedures or any unauthorised attempt to access or manipulate council-provided equipment may result in permanent disconnection from the public Wi-Fi network.
10. **If you do not agree to the above terms, please disable your wireless connection or turn off your computer.**

Appendix 2

Guide to Using Internet Services in Public Libraries

This Guide contains:

'Computers' and 'Terminals' – definition of terms
Services Available in Libraries
User Guide
Internet Use Agreement
Scanning and Copyright
Saving to Disk
Privacy Statement
Disclaimer
Conditions of Use – summary

'Computers' and 'Terminals'

All libraries have at least one Personal Computer (PC) and a number of Terminals available. Terminals differ from PCs in that they run from central servers. You can only save your work to disk on a PC. The term 'Computer' is used throughout this agreement to indicate both PCs and terminals.

Services Available in Libraries

- Internet access
- Office applications – word processing; spreadsheets; presentations; drawing
- Scanning
- Saving your work
- Computer services in Birmingham Libraries are free although there are charges for printing.

User Guide

- Always start a new session and remember to log out at the end. This protects your privacy and ensures you have a full hour.
- Show respect for other customers and library staff.
- Give up your seat at the end of your session if someone else is waiting.
- Do not bully or intimidate other users into giving up their seat.
- Allow your neighbour room to work.
- Keep to the terms of this Acceptable Use Agreement.
- Do not access sites that break the law or give offence to others.
- Some computers are only for using the Catalogue or specific website. Do not try to use these for other purposes.
- If you need a computer at a specific time just ask the staff to book one for you.
- If you can't access the website you need please fill in the on-line form or write down the web address (URL) and any error messages that appear. Give these to library staff so that we can investigate.
- If you accidentally access a site you think is unsuitable please write down the web address and give it to the staff so that we can investigate.

Internet: Acceptable Use Agreement

By your continued usage of this service, you are deemed to have accepted Birmingham Libraries terms and conditions as set out in the Public Internet Access Policy.

Internet Services

- Internet access in Birmingham Libraries is free; however, there are charges for printing and for purchase of removable media (where available).
- Birmingham City Council uses a filtering system to restrict access to unsuitable material. However, due to the nature of the Internet, we can not guarantee that the filtering software will prevent access to unsuitable material, nor can we guarantee the quality, accuracy or suitability of any websites you may access.
- We do not offer access to network games.

Your Use of The Internet

It is a condition of use that you *do not*:

- access pornographic, obscene, violent, or racist material
- use language considered to be obscene, offensive, or racist
- wilfully damage the computer or deliberately introduce viruses
- use library computers to gain or attempt to gain unauthorised access to other computers
- infringe or download copyrighted material or information without permission
- use library computers for any criminal activity
- install software on library computers

If you do not comply with the above conditions we may evict you from the library and/or withdraw your right to use the Internet in Birmingham Libraries and the police may be contacted.

Please remember that each computer keeps a record of how you have used it. These records may be accessed in the event of any allegation of misuse. Your continued use of library computers shall be deemed consent to such access in the event of any allegations of breaches of this agreement.

Parents and Carers

You are ultimately responsible for your child's use of the Internet. E-mail and moderated chatrooms are accessible on the Internet in libraries. We cannot take responsibility for what your child is doing on the Internet. If you are concerned, you must supervise your child when they use the Internet.

Please Help Us to Help You

- If you find an unsuitable site please inform a member of staff immediately.
- If you find a site that is blocked and you think it should not be blocked, please fill in the online form or write down the web address (URL) and any error messages that appear. Give these to library staff so that we can investigate. Please note that it may not be possible to enable access.

The council accepts no responsibility or liability for any matter, claim, action, proceeding, demand, damage, loss, cost, charge or expense which any person may suffer or incur, either directly or indirectly, through the use of this service.

By your continued usage of this service, you are deemed to have accepted Birmingham Libraries terms and conditions as set out in the Public Internet Access Policy.

Scanning and Copyright

The Scanning Service

- A4 flatbed scanners are available at some library locations. Scanning facilities must be booked in advance
- Scanning facilities are provided for personal use only. This includes private study or research and other non-commercial purposes
- Guidelines on how to use the scanners are available from library staff.
- Software is available for image manipulation.
- Scanned documents can be printed out in black and white or colour on the networked laser printer. There is a charge for printing.
- Scanned documents can be saved temporarily to the PC hard disk drive so that you can e-mail them as an attachment.
- Documents saved to the hard drive will be automatically deleted at the end of each session.
- Scanned documents can be saved to portable media. Some removable media can be purchased in some libraries.
- The Library service has contracts for the maintenance of PCs, scanners and printers however we cannot guarantee that the equipment will always be available.

Copyright

The scanning of copyright material is only legal for the purpose of private study and/or research and for other non-commercial purposes. In all other cases prior permission from the copyright owners must be obtained by the user. Wherever possible the source of the material should be acknowledged. The following information is offered as guidelines only – it is the responsibility of the individual to ensure copyright is not breached. Library staff are unable to advise you in respect of copyright issues.

Unless you have been given prior permission by the copyright owners:

- you should only make one copy
- limit your copying to one chapter or 5% of a book
- limit your copying to one article from an issue of a journal or periodical
- you should not place a digital copy or image of copyrighted work onto the internet or any other network

This means you must not:

- make multiple copies
- scan entire books or periodicals
- scan material to add to a web page
- make copies for sale or other form of gain

Birmingham City Council accepts no responsibility or liability for any matter, claim, action, proceeding, demand, damage, loss, cost, charge or expense which any person may suffer or incur, either directly or indirectly, through the use of this service.

Sources of Further Information on Copyright:

All libraries have copies of the CILIP (Chartered Institute of Library and Information Professionals) posters on copyright.

All libraries have a copy of the Copyright Information Pack produced by Birmingham Libraries.

www.cla.co.uk

- the website of the UK Copyright Licensing Agency. This site includes a section on New Copyright Law including the European Directive that came into force October 2003.

www.patent.gov.uk

- the website of the UK Patent Office. This site offers information on copyright, designs, patents and trade marks. Strong on copyright law.

www.intellectual-property.gov.uk

- the government site sponsored by The UK Patent Office. This site offers clear explanations of copyright and intellectual property. Frequently Asked Questions include 'What are the exceptions to copyright?'

www.copyrightservice.co.uk

- the website of the UK Copyright Service. This site offers a clear definition of copyright and includes 'Common Copyright Questions'

The Copyright, Designs & Patents Act 1988 and subsequent amendments and EU Directives are available for consultation in Central Library.

Saving to Portable Media

Your use of removable media in the library

It is a condition of use that you **do not**:

- copy recorded music
- breach copyright legislation
- wilfully damage the computer or deliberately introduce viruses
- deliberately install software or alter existing software

You may use your own portable media (memory sticks etc) with Windows PCs where available. Ask the staff whether this is available at your Library. This is not available on any other computer in the library with the exception of the CV service (below).

CV Service

People working on CVs at the Central Library Learning Centre and Learning Shop are permitted to use their own removable media provided it has been virus checked by library staff prior to each session.

Privacy Statement

In order for Birmingham City Council to provide its services we need information upon which we can make decisions. In many situations we may hold information of a personal nature which we require in order to allow us to provide services or meet our statutory obligations.

Accordingly, we are legally bound to comply with the Data Protection Act 1998 in relation to any personal or sensitive information held by us.

The Data Protection Act 1998 places certain legal obligations on us, as the holders and processors of personal information, as well as giving the subject of the information ("the Data Subject") certain rights in relation to the same information.

Birmingham City Council's Obligations

The Data Protection Act 1998 sets out the 8 principles which Birmingham City Council is legally required to comply with. These are that the personal information is:

1. Processed fairly and lawfully;
2. Obtained only for one or more specified and lawful purposes, and not processed for any other purposes which are in any way incompatible with that purpose or those purposes;
3. Adequate, relevant and not excessive in relation to the purpose/purposes for which they are processed;
4. Accurate, and where necessary, kept up to date;
5. Not retained longer than is necessary for that purpose/purposes;
6. Processed in accordance with the rights of the subject of the information;
7. Protected by appropriate technical and organisational measures against unauthorised or unlawful processing of personal information and against accidental loss, destruction, or damage of personal data; and that
8. Personal data shall not be transferred to a country or territory outside the European Union, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal information.

Your Rights

The Data Protection Act 1998 entitles to you, upon making a written request to the Birmingham City Council's Data Protection Officer, at 1 Lancaster Circus, Birmingham, to:

- Inspect any personal information we may hold in respect of you or your children and the purpose(s) for which it is held. Upon receiving your request, we may contact you to request further information from you in order to narrow down the amount of information we require to search, and/or to information needed to verify your identity or to request evidence of your authority to make the request. The information held by Birmingham City Council will be provided to you within 40 days of either receipt of the initial request, or where further information is required, upon receipt of the requested information.
- Request that we stop, or not start processing, personal data on the grounds that it is causing, or is likely to cause substantial damage or distress to you or to another and that damage or distress is, or would be unwarranted. This does not apply where:
 - a) you have consented to the processing;
 - b) the processing is necessary for compliance with a legal obligation, or
 - c) the processing is necessary to protect your vital interests.
- Require us to stop using information about you for the purposes of direct marketing. Direct marketing means the communication (by whatever means) of any advertising or marketing material which is directed to you;
- Require us to ensure that no decision taken by or on behalf of us and which significantly affects you is based solely on the automated processing of your information;
- Rectify, block, erase or destroy inaccurate data.

Should you suffer any damage as a result of any infringement of your rights under Data Protection you may be able to make a request for the Information Commissioner to investigate.

Should you require any further information please contact the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF telephone: 01625 545 700 or visit his web site: WWW.INFORMATIONCOMMISSIONER.GOV.UK

Disclaimer

Birmingham City Council accepts no responsibility or liability for any matter, claim, action, proceeding, demand, damage, loss, cost, charge or expense which any person may suffer or incur, either directly or indirectly, through the use of this service.

Conditions of Use

I agree to the terms and conditions above.

I will not:

Access, copy, save or create pornographic, obscene, violent or racist material

Use language considered to be obscene, offensive or racist

Wilfully damage the computer or deliberately introduce viruses

I will:

Abide by the terms of the User Guide

I understand that:

If I do not comply my right to use computer services in Birmingham Libraries may be withdrawn and the police may be contacted.

By your continued use of this service you are deemed to have accepted Birmingham City Council Libraries terms and conditions as set out in the Public Internet Access Policy.