



Policy and Rules on Internet and Email Use

1. **The laws on employment relationship and on electronic communications, and the doctrine of vicarious liability entail risk for the University in that we allow our members (i.e. our staff and our students) access to the internet.** The policy and rules that follow are intended –

- to manage this risk; and
- to guide members of the University, and others who have access to it, as to what is acceptable.

2. **We proceed from the following accepted points of departure –**

- a) this policy and these rules recognize the constitutional right to privacy;
- b) all staff, in particular academic and research staff, may, and should, use their UCT address and UCT designation when publishing the results of their research and scholarly work in scholarly and in popular media, and when doing so neither need, nor are presumed to have, institutional endorsement for their views, arguments and results.
- c) nobody may use a UCT facility (this includes email accounts, offices, phones, cellphones, or fax lines) for private work for which prior permission has not been obtained, and, unless payment is made for the facility. Nobody may use a UCT facility for excessive private or personal purposes. Use for personal or private work purposes is a privilege not a right and it follows that it may be withdrawn.
- d) officers, (e.g. the Vice-Chancellor, DVCs, Registrar, Deans, and Executive Directors) of the University have to have regard to the extent to whether, and if yes, which public communications could/can be divorced from their offices; i.e. the extent to which such officers can enter the public domain in their personal, as opposed to office-related, capacities.
- e) nobody may use –
 - any UCT letterhead;
 - or any UCT designation (including a UCT designation in an electronic signature)for private communications or for private work (even if approved private work).

3. **Policy and rules: privacy and access to electronic records**

UCT reserves the right to interrogate electronic records held by UCT, but this right will **not** be exercised without the written permission of the Vice-Chancellor following due process involving consultation by the Vice-Chancellor, or the Vice-Chancellor's nominee, with at least two of the six non-decanal non-executive senior professors (i.e. the six professors who have held professorial rank for the longest not including



executive officers or deans) for good cause shown, or without a court order or summons, or in compliance with a request for a copy of a record made under the Promotion of Access to Information Act.

4. General policy and rules on internet and email use

The following policies and rules on internet and email use do not in any way derogate from the imperative that staff and students play their part in ensuring that they not do anything, or cause anything to be done that would jeopardize the integrity of the University's systems, and their use to support the University's work.

- a) the computer equipment and resources provided by the University to its staff, students and associates remain University property at all times, including equipment acquired by the University from research funding and research contract funding;
- b) private use of such equipment or resources is permitted to the extent that -
 - it is not excessive;
 - it is not for personal gain unless prior written permission has been obtained, and unless payment is made for the use;
 - if by a staff member it does not interfere with the performance of his or her duties as a staff member;
 - it does not expose the University to any legal liability; and
 - it does not impair the rights of other members of the University community.
- c) the University retains the right to monitor traffic on all data lines owned or leased by the University;
- d) the University reserves the right to restrict or otherwise control the use of any of the internet protocols (This right to restrict may include the right to set a limit on individual usage by volume for undergraduate students, postgraduate students and staff);
- e) any act of publication by means of any internet protocol expressing a personal opinion must where relevant reflect this fact;
- f) the following practices are prohibited-
 - i. viewing, storing, downloading or forwarding images, moving images, sound files, texts or recordings that are sexually explicit or sexually suggestive, racist, harassing, intimidating or defamatory, except where this is both legal and there is demonstrable academic need to access or distribute such content;
 - ii. hacking in any form, including gaining or attempting to gain access to restricted resources either inside or outside of the University's computer network;
 - iii. impersonating another user or another person;
 - iv. damaging or deleting files of another user;



- v. obtaining without authorization the access codes and/or passwords of another user;
- vi. software piracy, or other infringement of intellectual property rights in digital content;
- vii. the sending, whether on the internal email system or externally, of bulk unsolicited mail, commercial advertising of other businesses, mail-flooding, or excessive cross postings on newsgroups (called spam);
- viii. the use of any computer resource to promote any business or enterprise, except that of the University, unless such use is explicitly permitted by an agreement between the employee and the University;
- ix. issuing of unsolicited email to indicate or gain support for any religious or political purposes.
- x. connecting a modem to the University telephone network without authorization from the Executive Director: ICTS or his/her nominee;
- xi. use of a PC connected to the University network without running virus detection software.

5. Staff and students alike have a duty not to load the University's internet connection with private traffic unnecessarily.

6. Violations of this policy will be handled in accordance with procedures established for staff or student discipline.

*Revised after consultation with staff
September 2004*

Approved:
Council – October 2004
PC 10 2004 (Item 61)