

Section A: Assessment

Name of Policy	All Wales Internet Use policy All Wales E-Mail Policy
Person/persons conducting this assessment with Contact Details	Marie Mantle, Head of Information Governance marie.mantle@nhs.wales.uk
Date	28.8.16

1. The Policy

Is this a new or existing policy?

These policies have been developed as All Wales policies. They are standard documents designed to replace existing Health Board's policies for these areas.

What is the purpose of the policy?

The aim is to create a single Internet Use Policy and separately a single E-Mail Use Policy for use within NHS Wales, to promote the same principles and values across all organisations and to ensure that the same values are afforded to staff.

Compliance with these policies will provide effective support for the provision of safe health care through safe, secure and confidential management of personal information and to support good business practice and maintain the reputation of the UHB.

The UHB acknowledges that many employees use the internet and e-mail for personal and professional purposes. It recognises its responsibilities to raise awareness and train employees so that all good practice and legal obligations are met.

The purpose of these policies is to set out the expectation that all staff behave appropriately and in a way which is consistent with the UHB values and professional codes of conduct when using the internet and e-mail facilities, and especially in respect of:

- Internet – Personal use
- E-Mails - Inappropriate e-mails
- E-Mails - Personal identifiable Information
- E-Mails - Business Sensitive Information

How do the aims of the policy fit in with corporate priorities? i.e. Corporate Plan

These guidelines support the following UHB Policies:

- Information Governance Policy
- IT security Policy
- Internet and E-mail Acceptable Use Procedures
- Dignity at Work Policy
- Disciplinary Policy

Who will benefit from the policy?

These Policies apply to all employees of the UHB. For the purposes of these Policies individuals who are engaged by the Nurse Bank or as Locums are treated as employees.

The principles set out in these Policies will also apply to other individuals and groups, including agency workers, contractors, honorary contract holders, volunteers and trainees.

These Policies will be of benefit to staff, managers, patients and all others who come into contact with the UHB

What outcomes are wanted from this policy?

Internet Use

The UHB expects the Internet Use Policy to:

- Support staff through awareness and as part of their training to use the internet and e-mail as part of their employment confidently and securely avoiding any risk of planned or inadvertent breaches. The policy is further supported by UHB IT security procedures and guidance.
- Support staff through awareness to use the UHB's internet system for personal reasons appropriately and the consequences of non-compliance. The policy is further supported by UHB IT security procedures and guidance.

E-Mail Use

The UHB expects the E-Mail Use policy to:

- Support staff through awareness to use the internet a part of their employment confidently and securely avoiding any risk of planned or inadvertent breaches. The policy is further supported by UHB IT security procedures and guidance.
- Support staff to clearly understand what inappropriate use means and the consequences of non-compliance. The policy is further supported by UHB IT security procedures and guidance

Are there any factors that might prevent outcomes being achieved? (e.g. Training/practice/culture/human or financial resources)

It is challenging to ensure that **all** staff have had appropriate training and awareness.

2. Data Collection

What qualitative data do you have about the policy relating to equalities groups (e.g. monitoring data on proportions of service users compared to proportions in the population)?

What quantitative data do you have on the different groups¹⁶ (e.g. findings from discussion groups, information from comparator authorities)?

Please indicate the source of the data gathered? (e.g. Concerns/Service/Department/Team/Other)
What gaps in data have you identified? (Please put actions to address this in your action plan?)

There was an equality assessment done by the All Wales policy development group and is contained within the policies. (appendices 2a and 2b). For consistency with other policies and to support its implementation effectively the UHB requires this more detailed assessment.

Data gathered in August 2016

The data collection gathered from the internet search is relatively small. Almost all documents on the topic are integrated policies for Internet and E-Mail Use.

Doncaster and Bassetlaw Hospitals NHS Foundation Trust
Use of Internet and E-Mail Policy March 2015
First stage screening was carried out. No detriment was found for equality groups

Guildford and Waverley Clinical Commissioning Group
Internet Use and E-Mail Policy July 2015
First stage screening was carried out. No negative impact was found for equality groups.

Newcastle Gateshead Clinical Commissioning Group
Internet and E-Mail Acceptable Use Policy March 2015
First stage screening was carried out. A neutral impact was found for equality groups.

Worcester NHS organisations
Internet and E-Mail Policy DATE
First stage screening was carried out. The impact found for equality groups was recorded as none.

Hertford shire Community NHS Trust
E-Mail and Internet Policy November 2014
First stage screening was carried out. The impact found for equality groups was recorded as none

Sheffield Health and Social Care

Internet Acceptable Use Policy April 2014

First stage screening was carried out. The impact found for equality groups was recorded as none.

South Warwickshire Clinical Commissioning Group

E-Mail Usage Policy Date

First stage screening was carried out. The impact found for equality groups was recorded as none.

The Royal Liverpool and Broadgreen University Hospitals

E-Mail and Internet Use and Monitoring Policy 2013

Statement: Section 9 refers to a “full equality assessment” and infers that there was a neutral or negative impact.

The EQIAs for the organisations above reflect a neutral or negative outcome.

3. Impact

Please answer the following

Consider the information gathered in section 2 above of this assessment form, comparing monitoring information with census data as appropriate (see www.ons.gov.uk Office National Statistics website) and considering any other earlier research or consultation. You should also look at the guidance in Appendix 1 with regard to the protected characteristics **stating the impact and giving the key reasons for your decision.**

Do you think that the policy impacts on people because of their age? (This includes children and young people up to 18 and older people)

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic,

unlawful or involves violence, bullying or harassment.

- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of their caring responsibilities?

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of their disability? (This includes Visual impairment, hearing impairment, physically disabled, Learning disability, some mental health issues, HIV positive, multiple sclerosis, cancer, diabetes and epilepsy.)

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-

mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of Gender reassignment? (This includes Trans transgender and transvestites)

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of their being married or in a civil partnership?

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

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Do you think that the policy impacts on people because of their being pregnant or just having had a baby?

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of their race? (This includes colour, nationality and citizenship or ethnic or national origin such as Gypsy and Traveller Communities.)

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of their religion, belief or non-belief? (Religious groups cover a wide range of groupings the most of which are Buddhist, Christians, Hindus, Jews, Muslims, and Sikhs. Consider these categories individually and collectively when considering impacts)

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent,

terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on men and woman in different ways?

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of their sexual orientation? (This includes Gay men, heterosexuals, lesbians and bisexuals)

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent,

terrorist, racist, sexist, homophobic and transphobic or illegal material.

Do you think that the policy impacts on people because of their Welsh language?

No impact found. However, as an organisation we will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic, unlawful or involves violence, bullying or harassment.
- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

The impact on the Welsh Language is minimal. Staff, however, staff with line managing responsibilities should be aware that staff might use online resources on the Welsh language (online dictionaries, learning courses, etc) as part of their work and not perhaps in a personal capacity. – Welsh Language Officer.

Do you think that the policy impacts on people's human rights?

The UHB takes a proactive and human rights based approach to its work placing its patients and staff at the centre of its work. However, sometimes it is necessary to block sites/e-mails for good reasons. As an NHS organisation we respect the privacy of our employees and do not want to interfere in their personal lives but the monitoring of a secure network and checking on the use of time is a legitimate business interest and will do so as necessary.

As an NHS organisation we reserve the right to monitor e-mails of any user and use software to scan e-mails for inappropriate content. However, the UHB will generally consider any of the following inappropriate use of the internet or e-mails.

- Communicating any information which may cause offensive or embarrassment; including that which can be reasonably deemed to be defamatory, abusive, hateful, racist, sexist, homophobic, transphobic, discriminatory, indecent, obscene, pornographic,

unlawful or involves violence, bullying or harassment.

- Knowingly access, or attempted access to, internet that contain obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic, transphobic or otherwise illegal material. This will include such pages on social media sites.
- Sending or saving information or images which could be considered defamatory, obscene, hateful, pornographic, violent, terrorist, racist, sexist, homophobic and transphobic or illegal material.

4. Summary.

Which equality groups have positive or negative impacts been identified for (i.e. differential impact).

Is the policy directly or indirectly discriminatory under the equalities legislation?

If the policy is indirectly discriminatory can it be justified under the relevant legislation?

The document was consulted upon with a range of stakeholders and All Wales Leads:-

- Information Governance;
- Communications;
- Work force and Organisational development;
- Information security; and
- Trade Unions
- Health Boards through the IG leads

No impact has been identified in the national committee approvals system. The UHB internet data collection has found similar conclusions in EQIA in respect that there were no impacts. However, the EQIA has identified through the policies the recognition that some usage will be considered as inappropriate. Please see section 3.

Section B: Action

5. Please complete your action plan below. Issues you are likely to need to address include

•What **consultation** needs to take place with equality groups (bearing in mind any relevant consultation already done and any planned corporate consultation activities?)

- All Wales Leads in Information Governance, Communications, Human Resources, Information Security and Trade unions.
- UHB Chair, Rainbow LGBT FFlag Network
- UHB Welsh Language Officer

• What **monitoring/evaluation** will be required to further assess the impact of any changes on equality target groups?

The policies will be reviewed after one year by the Information Governance Sub Committee

Equalities Impact Assessment Implementation Mitigation/Action Plan

Issue to be addressed	Responsible Officer	Action Required	Timescale for completion	Action Taken	Comments
N/A					

6. Report, publication and Review

Please record details of the report or file note which records the outcome of the EQIA together with any actions / recommendations being pursued (date, type of report etc)

IGSC and PPP Committee minutes

Please record details of where and when EQIA results will be published

UHB Policy Database, UHB Intranet site, UHB Internet site

Please record below when the EQIA will be subject to review.

One year after approval of policies, or earlier if required by changes in practice, policy or legislation.

Name of person completing	Marie Mantle
Signed	<i>Marie Mantle</i>
Date	August 2016

Name of Responsible Executive/Clinical Board Director Authorising Assessment and Action Plan for publication	Graham Shortland Medical Director
Signed	
Date	

Executive Summary

The UHB has produced a supplementary EQIA to the All Wales EQIA to ensure that any potential impact has been identified and actions determined. This supplementary EQIA builds upon an extensive EQIA completed for the previous guidelines produced in 2013. Further internet searches were undertaken in August 2016 and 8 examples from NHS organisations were accessed on the Internet. Key areas of the UHB were also consulted (see below).

Both the UHB and the other organisations assessments showed a negative impact. However, the UHB will generally consider the aspects of inappropriate use of the internet or e-mails set out in section 3; communicating any information which may cause offence or embarrassment, knowingly accessing, or attempting to access internet sites containing inappropriate material and sending or saving inappropriate information or images. The UHB reserves the right to monitor internet and e-mail use and strong measures are in place deal with any inappropriate behaviour through the Disciplinary Policy and procedures

The Information Governance Sub Committee will monitor and review these policies annually.

Background

The aim of the policy

The aim is to:

- Create a single Internet Use Policy and separately a single E-Mail Use Policy for use within NHS Wales, to promote the same principles and values across all organisations and to ensure that the same values are afforded to staff;
- Set out the expectation that all staff behave appropriately and in a way which is consistent with the UHB values and professional codes of conduct when using the internet and e-mail facilities.

The context

The policy sets out staff's responsibilities when using the internet and e-mails and the implications involved. It is intended to outline areas of best practice and illustrate where challenges can arise for individuals and NHS Wales. It applies to the use of the internet and e-mails for business and personal purposes.

Involvement

The policy and EQIA was widely consulted upon at an All Wales level. Consultation included:

- All Wales Leads in Information Governance, Communications, Human Resources, Information Security and Trade unions.

- UHB Chair, Rainbow LGBT FFlag Network
- UHB Welsh Language Officer

The author has worked closely with the Equality Manager throughout the process.

The scope of the EQIA

The Policy applies to all UHB staff and includes all staff working for third party organisations.

Key findings

The EQIA found that there is overall there was a neutral impact whilst noting the potential affect that inappropriate use of the internet and e-mails can have on the groups with protected characteristics and the rights of the UHB to monitor and take action where this is found.

Conclusions

It is concluded that no changes are required to the proposed policy as a result of the EQIA.

Recommendations

It is recommended that the Policy should be approved.