



## **ACCEPTABLE USE POLICY (AUP)**

### **INTRODUCTION**

For the Internet to operate in a manner that satisfies the majority of its users, all users need to observe some rules and behaviours governing their use of it. These requirements are usually contained or referred to in the relevant terms and conditions governing the particular Internet service as well as the law.

To enable its customers to have a better understanding of what is and is not acceptable when using the Internet, and to help you get the best out of the Internet, Communicate Technology plc. has developed a number of Acceptable Usage Policies. These policies should help you benefit from safer surfing and minimise the risk of suffering "online abuse".

We have also included some general advice on how to protect you and your computer to each of these policies which we encourage you to follow.

### **Illegal and inappropriate activities**

As an Internet user, whilst connected to the Internet via Communicate Technology plc. you must comply with the relevant laws that apply in the UK. You should also be mindful of the fact that the Internet is a global medium and is regulated by the laws of many different countries. Material which is legal in this country may be illegal in another and vice versa. Note that using VPN technology while offsite will result in behaviour as if at site, as the Internet usage will continue to be monitored and tracked.

These are some of the things that you must not do whilst connected to the Internet:

You must not, by using the service, download, possess or transmit in any way, illegal material (for example indecent images of children, bit torrent etc.).

You must not send, publish, distribute, circulate or otherwise propagate any material that may be deemed to be grossly offensive or of an indecent, obscene nature or menacing in character.

You must not send, with the intention of causing annoyance, inconvenience or needless anxiety a message that you know to be false, or to cause such a message to be sent or to persistently make use of our service for that purpose.

You must not gain or attempt to gain unauthorised access to any computer systems for any purpose, including accessing the Internet.

You must not, without authorisation intentionally impair or attempt to impair the operation of any computer, prevent or hinder access to any program or data held in any computer or to impair the operation of any such program or the reliability of any such data (this could include deleting files, changing the desktop settings introducing viruses etc.).

You must not infringe the rights of others, including the right of privacy and copyright (an example would be sharing without permission of the copyright owner protected material such as a music or video file).

Many of these activities could result in legal action, a fine or a term of imprisonment or both.

If you are in any doubt as to the legality of anything, take independent legal advice before proceeding.

## Unacceptable Use

The Communicate Technology plc. network may not be used by a tenant ("**Tenant**") or its staff for any of the following activities:

1. order any service under the Communicate Technology plc. portfolio that causes any other Tenants to be disadvantaged in any way without prior consultation with Communicate Technology plc..
2. creating or transmitting, or causing the transmission of, any offensive, obscene or indecent images, data or other material, or any data capable of being resolved into obscene or indecent images or material;
3. creating or transmitting material with the intent to cause annoyance, inconvenience or needless anxiety;
4. creating or transmitting material with the intent to defraud;
5. creating or transmitting defamatory material;
6. creating or transmitting material such that this infringes the copyright of another person;
7. creating or transmitting unsolicited bulk or marketing material to users of networked facilities or services, save where that material is embedded within, or is otherwise part of, a service to which the Tenant or its Staff has chosen to subscribe.
8. attempting or committing deliberate unauthorised access to networked facilities or services;
9. attempting or committing deliberate activities having, with reasonable likelihood, any of the following characteristics:
  - wasting staff effort or networked resources, including time on end systems and the effort of staff involved in the support of those systems;
  - corrupting or destroying the data of another Tenant;
  - violating the privacy of another Tenant;
  - disrupting the work of another Tenant;
  - denying service to another Tenant (for example, by deliberate or reckless overloading of access links or of switching equipment);
  - continuing to use an item of networking software or hardware after the Communicate Technology plc. operations manager has requested that use cease because it is causing disruption to the correct functioning of the network;
  - other misuse of the Communicate Technology plc. network such as the introduction of "viruses" or other harmful software via the Internet.

## Responsible Action by the Tenant

Each Tenant must act responsibly to protect the Communicate Technology plc. network. This duty includes:

- taking effective measures to ensure that there is no security threat to the Communicate Technology plc. network or other Tenants from insecure devices connected to the organisation's network;
- taking effective measures to protect against security breaches, in particular ensuring that security measures recommended by the Communicate Technology plc. service management team are implemented;

- taking effective measures to ensure that security breaches can be investigated and that other users of the Communicate Technology plc. network are protected from the consequences of breaches;
- assisting in the investigation and repair of any breach of security;
- implementing appropriate measures for giving, controlling and accounting for access to the Communicate Technology plc. network backed by regular assessments of the risks associated with the measures chosen;
- promoting local policies in support of this Communicate Technology plc. Acceptable Usage Policy, backed by adequate disciplinary and other procedures for enforcement. This includes encouraging its users to act responsibly in compliance with the Communicate Technology plc. Acceptable Usage Policy, and taking reasonable measures to ensure that they are enabled to do so through the Tenant's systems, procedures and training that support good security practice.

### **Monitoring and Enforcement by Communicate Technology plc.**

Communicate Technology plc. Is authorised to require Tenants to comply with this Communicate Technology plc policy, to monitor the network where it has reason to believe there has been a breach of the policy, or other threat, and to take such actions as are necessary to protect the operation of the Communicate Technology plc services and the security services provided to Communicate Technology plc. customers. In particular Communicate Technology plc. is authorised to:

- monitor use of the network, in accordance with applicable privacy regulations and national law, either in response to information about a specific threat or generally because of the perceived breach of the Acceptable Usage Policy;
- implement such temporary technical measures as are required to protect the network or its customer's against breaches of security or other incidents that may damage the network's service or reputation;
- require a Tenant, through its IT contact, to fulfil its responsibilities under the Communicate Technology plc. Acceptable Usage Policy;
- where a Tenant is unable or unwilling to co-operate, to initiate the process for achieving an emergency disconnection set out below;
- to the extent permitted or required by law, assist law enforcement authorities in their investigations concerning the Communicate Technology plc. services.

### **Process for Emergency Disconnection**

Communicate Technology plc. may withdraw the Communicate Technology plc. services delivered over a connection temporarily and in whole or in part if and for so long as the Communicate Technology plc. reasonably:

- needs (through the Communicate Technology plc. supplier) to carry out emergency works on the Communicate Technology plc network, or such emergency works are required by an upstream service provider;
- believes that any Communicate Technology plc. service (or any Tenant's use of it) causes or appears likely to cause death of or personal injury to any person, or material damage to property; or
- believes that a Tenant is in breach of the Communicate Technology plc. Acceptable Use Policy and that the Tenant has failed to remedy this in a timely manner; or
- believes that a Tenant's use of the Communicate Technology plc. Service does not comply with any law or regulation, or infringes any intellectual property rights or other rights, or causes disruption or damage to Communicate Technology plc. network, or has a material adverse effect on other services available to other users of the Communicate Technology plc service, or if Communicate Technology plc. reasonably believes that any of the above situations appear likely.

The Communicate Technology plc. operations manager is authorised by Communicate Technology plc., within the process defined here and after consultation where possible with the Communicate Technology plc. management board, to suspend all or part of the Communicate Technology plc. Services to a Tenant.

Other than in the case of emergency works detailed above above, prior to withdrawal of any Communicate Technology plc. Service the Communicate Technology plc. Operations Manager will notify the Tenant in writing of the reasons for its belief, and the Tenant will be given the opportunity within a reasonable period of time take all reasonable endeavours to ensure that such breach or other noncompliance is remedied. The Communicate Technology plc. Operations Manager will to the extent reasonably practical assist the Tenant in taking such actions as are necessary to avoid the need for suspension.

In the event that the Communicate Technology plc. operations manager does suspend any part of the Communicate Technology plc. services, he will, whenever reasonably practicable, give reasonable prior written notice of such suspension to the Tenant which notice will state the grounds of such suspension and its expected duration.

Where any such suspension is made, the Communicate Technology plc. operations manager will use his reasonable endeavours to minimise the effect of and the duration of any such suspension. In particular he will, to the extent that it is technically and operationally feasible to do so, limit any suspension to the connection over which use by an individual Tenant location has caused the suspension.

### **Communicate Technology plc.'s obligations**

Communicate Technology plc. is obliged under the Regulation of Investigatory Powers Act to disclose information to law enforcement agencies and public authorities that are legally entitled to obtain such information. Similarly Communicate Technology plc. must comply with court orders to disclose information. In serious instances of abuse we may also notify the police or relevant law enforcement agency.

Communicate Technology plc. cannot and does not monitor content of its' customers network or content of chat rooms, instant messaging, email, newsgroup or indeed of any communications and therefore Communicate Technology plc. cannot and does not guarantee that all of these are free of illegal material or other content considered unacceptable by others including the Internet community.

### **Changes to the Acceptable Use Policy**

Subject to written notice to the Tenants, we may change the Acceptable Usage Policy from time to time and the latest version will be available for download from our website at <http://communicateplc.com/downloads/> To make the most of the guidance contained in the AUP, please keep up to date with changes and look at them on a regular basis. We hope you will find them useful and informative.

### **Breaches of Acceptable Use Policy**

Reports of breaches of these acceptable use policies by Communicate Technology plc. customers can be sent to [info@communicateplc.com](mailto:info@communicateplc.com)

Communicate Technology plc. may operate systems to ensure compliance with this acceptable use policy, including without limitation network scanning and testing of open servers and mail relays.

**Name of Tenant** \_\_\_\_\_

**Print Full Name** \_\_\_\_\_

**Position Held** \_\_\_\_\_

*(Must be signed by someone with the correct authority)*

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_