

Cover note University Council

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Details		
Topic		Revised “Regulations governing the use of Internet and ICT facilities by employees/students”
To be discussed before		8-12-2020
Author / Section		Jaap Cornelese / IT Services
Handled by (to be invited to the committee)		Jaap Cornelese (in case of formal meeting also invite Wout van Wijngaarden, IT-director)
Date		3-11-2020

Context / Reason
<p>In its letter to the University Council from December 3th 2019 the Executive Board promised a review of the Regulations governing the use of Internet and ICT facilities by employees/students”. In particular changes to better address the confidential nature of some roles and to better ensure that additional barriers are in place before an investigation can be conducted into people that have such a role were to be addressed. Also, to be included in the revised regulations was the UC’s suggestion of introducing consultation of a ‘third party’ when the EB wants to start an investigation based in the ICT regulations.</p> <p>The promised review and revision of the ICT regulations have resulted in the ICT regulations, version 2020, which are herewith presented to the UC for the purpose of gaining its consent.</p> <p>Also, since the current ICT regulations stem from 2015, a revisal was necessary to ensure the regulations are a good fit to the current state of technical development, relevant laws and regulations and societal views.</p>

Jurisdiction UC / Question to the UC
<p>Though formally, based on ‘het Reglement voor de Universiteitsraad van de EUR’, the right of consent for the ICT regulations for employees lies with EUROPA and for the ICT regulations for students the UC has the right of advice, both ICT regulations are put to the UC for its consent. Right of consent had been given to the UC for the 2015-versions of the regulations. Extending this to the 2020 versions seems logical.</p>

Short Summary
<ul style="list-style-type: none">- As stated, changes have been made to better deal with confidentiality and persons with a confidential role. Also consultation of a third party has been prescribed in specified cases.- Regulations regarding the private use of ICT facilities have been tightened. In principle, saving private files or information on EUR systems is not permitted, unless such limited use does not disrupt daily work activities or EUR’s network, or leads to disproportionate costs for EUR. This means that in case of a targeted investigations no private documents or e-mails are to be taken into account.- The ban, for employees, on copying, moving or forwarding e-mail messages to e-mail systems and accounts not provided by the EUR, that results from the introduction of the GDPR, has explicitly been included in the regulations.

- Regulatory groundwork has been laid for the future use of monitoring (is the operating system up-to-date, is a recent anti-virus software in place, etc.) software on EUR-hardware such as laptops and mobile phones.
- The Executive Board has decided that, in light of the context described above, amendment of the current ICT regulations stemming from 2015 is 'urgent' in the sense of Article 12, par 2 of the Employee regulations (Article 11, par 2 of the Student regulations). Otherwise implementation of the new ICT regulations version 2020 would have to wait until the start of the new academic year.

Follow-up process

The Regulations governing the use of Internet and ICT facilities by employees are also proposed to EUROPA for consent.

When consent has been given by the UC and by EUROPA the EB will decide on a date that the new ICT regulations will enter into force. This date will be chosen such as to provide the IT department with at least two months to communicate on the new regulations and the impact on the users of ICT facilities. This in order to provide the users sufficient time to check and clean-up their ICT items in relation to private use.

Specifics

Are there specific circumstances the UC must take into account? For instance a confidential treatment of this topic, or specific previous cases that are related?

Documents to be attached

Regulations governing the use of Internet and ICT facilities by employees – 2020
Regulations governing the use of Internet and ICT facilities by students - 2020