



AGENDA ITEM 6.1.1

Lyneham and Bradenstoke Parish Council

**Domain, Web and Email
Modernisation**

Version 3

Prepared by

Lyneham and Bradenstoke Parish Council
Communications Working Group

Introduction

Currently Lyneham and Bradenstoke Parish Councils domain, email and web presence are not legally compliant, as such this could lead to complications in Parish Council administration, transparency and accountability.

Current Issues

Domain

The current domain is registered with GoDaddy, who host sites in the USA. GoDaddy are not approved to host UK local authority documents or websites in accordance with the guidance from the Cabinet Office and Government Digital Services (GDS) department.

Website

The website is non-compliant in accordance with the guidance for government and local authorities from the Cabinet Office and the Government Digital Services (GDS) department.

The website is not secure (by https), which means in simple terms any interactions with it are insecure under GDPR. This is against Government IT Requirements for a Local Authorities. Additionally, as it is not a secure site, more and more organisations and even web browsers will automatically block non secure sites, thus we may well be inadvertently denying people access.

The current website is not assessable as it need options for people who have various disabilities, such as visual acuity or hearing impairment.

The current website has no cookie policy notice, no privacy policy notice, no takedown facility, no password policy, and no copyright or site ownership statements as required by law.

We currently use WordPress for the website; however, the problem is that recently it seemed to have (self) deleted a large amount of data and information. There could be multiple reasons why this has happened, including but not limited to:

- Illegal accessing and altering of the site, due it to not being a secure site or insecure password policy.
- Unauthorised access to the site, apparently this can be hidden, so it is not detectable without delving deeply into the coding
- Collapse of WordPress coding on the website.
- Incorrect handling of the site when adding or deleting information.
- Combination of any or all of the above.

Email

Currently there are no recommended or approved methods of handling emails or email types, however, there are legal requirements under GDPR, DPA, Cabinet Office and GDS department guidelines.

Currently, there is a quirk in law that for a parish council a councillor, a staff member or employee, when conducting any council business can use any email they so choose, including their own private email address.

What has now become clear is that currently there no accountability for these emails, and no way of ensuring a coherent policy, this is against GDPR, DPA18, FoIA, Cabinet Office and GDS department legislation and guidelines.

As a result, it has also highlighted that we, as a parish:

- Have no uniformity to our email addresses.
- Have no way of ensuring people remain within the GSD, GDPR, DPA18 and FoIA remits, or even our own communications policies and Code of Conduct.
- Have no way to prevent any person retaining or destroying mails during or after being part of the council, which is against GDPR, DPA18 and GSD.

- Have no way to ensure that a person who has left the council does not receive official emails that they should not receive.
- Have no way to ensure that a person who has left the council cannot send email perpetrating that they are still part of the council. This one is worrying as it is technically an act of fraud, and the Parish Council would be legally liable due to our failing to have a coherent and legal policy.
- Should a FoIA/DSAR request is made to a named councillor or staff member, who may be choosing to use their own email address, then under law all the emails are open for inspection, including personal and private emails. The councillor is not in the position to choose or claim the difference between council business and private, the law is clear (and has been tested in High Court) that all means all.
- In a worst-case scenario, any councillor or staff member could be using both private and the suggested council Gmail email accounts to conduct council business, in the belief that they could avoid detection for having 'covert' discussions. This actually complicates it for any person doing this as it opens up ALL their personal email accounts to legal inspection.
- We currently suggest that all councillors and staff use a Gmail account, however this is against Cabinet Office and GDS department guidelines as Gmail is not hosted in the UK

In summary

The Domain, the Website and the Email system are not compliant in law, including GDPR, DPA18, FoIA, Cabinet Office and GDS department.

Put another way, the Parish Council are not legal by a long way, and as a result a councillor, a staff member or even the whole council could find themselves at odds with current guidance, regulations or legislation.

Solutions

There is a myriad of potential solutions that could be found but all must be compliant, preferably all must be easily controllable, must be future proof, must be legal and adaptable to future legal changes, all must be configurable, and, all must be user friendly.

Several solutions have been looked at, all have advantages, all have disadvantages, and unfortunately, all have some cost implications.

In making choices, the following have been considered:

- Does it comply with GDPR, DPA18, FoIA, Cabinet Office and GDS department guidelines?
- Does it comply with the law?
- Is it Local Authority model acceptable?
- Does it follow the -pc.gov.uk model?
- Is it easy configurable to suit new starters, amendments and leavers?
- Is it easy to manage and easy to administer?
- Does it have “Add On” factors?

Domain Solution

Currently we use a co.uk domain, which is recognised as a business address, these are not recommended by the Cabinet Office or the GSD.

The preferred model adopted and recommended by the government is for a “-pc.gov.uk” domain, and this is recommended by the Cabinet Office or the GSD for all local authorities in the UK. Unfortunately, as we are migrating after 2017, we cannot have a simple gov.uk domain.

Accordingly, to ensure that we become compliant it is recommended that we do apply and move to a -pc.gov.uk address, and additionally we move to a secure (https) model.

This is something we can easily apply for, it is a simple process, and there is a walk through guide as how to do it <https://www.pc.gov.uk/apply-for-and-manage-a-pc.gov-uk-domain-name>

This would result in us having to leave GoDaddy, which is not compliant, and we would need to open an account with a UK based compliant Internet Service Provider, which is the minimum requirement for local councils. The walk through has links that take you to who does provide this in the UK, and it is not an insignificant list.

<https://community.jisc.ac.uk/library/janet-services-documentation/list-registrars>

If the parish adopt the new system, it is recommended that we adopt the following domain name lbpc-pc.gov.uk This would be compliant with the government guidelines and would future proof us under potential upcoming statutory changes

So, the change would be from

<http://www.lynehamandbradenstokeparishcouncil.co.uk>

to

[https:// www.lbpc-pc.gov.uk](https://www.lbpc-pc.gov.uk)

or

<http://www.lynehamandbradenstoke-pc.gov.uk>

There is a cost implication, and this will be shown at the end of this document.

Website Solutions

There are no hard and fast rules, other than it must be hosted on secure servers (https), it must be compliant, must be accessible and the ISP must be on the approved list.

There are numerous packages that can be used, and just by simplifying visiting many of other Parish Council websites, you can find some rather spectacular ones to some very mundane.

What is very clear that now, many of the Local Council Award Scheme councils have recognised that their website is their first point of contact, so they are accordingly very functional.

For example:

Dursley Town Council

<https://www.dursleytowncouncil.gov.uk/>

Welshampton and Lyneal Parish Council

<https://www.welshamptonandlyneal-pc.gov.uk/>

Stratton St Margarete Parish Council

<https://strattonstmargaret.gov.uk/>

Some councils have paid for a dedicated website to be built, some have not, some opted for a DIY version.

We have looked at two packages that we could use, that being WordPress and HugoFox.

Both have advantages, both have disadvantages, both fairly much equal each other, WordPress has online support tutorial videos for issues, HugoFox has a dedicated helpline (a real person).

Both can be set up by ourselves, WordPress can be modified to our needs, but for more complex changes we may need to pay for specialist support. HugoFox is template based so is less configurable, but has no costs to us

Whichever version we ultimately opt for, we must make sure that it is easy to use and easy to administer.

Until we have built trial sites we are not able to determine which would suit our needs better, though it is a relative simple task to trial, we are not able to do so unless permission is given, as a lot will also depend on the format of our future domain.

Email Solution

As highlighted earlier the current email system is far from compliant, and in a worse case could lead to a prosecution.

Accordingly, a 'smart' solution needs to be identified, one that is compliant and the Cabinet Office or the GSD acceptable.

It also must be user friendly and robust.

Here we have to assume there is a need for 12 email accounts consisting of 11 x councillors and 1 x Parish Clerk.

There are packages available that give the parish council the various controls required. To comply with government requirements all have cost implications, but this cost is a permitted cost to Parish Council and can be funded via the precept.

As a result of these costs it opened a rather interesting solution, that comes with significant 'Add On'. This will be covered below in Packaged Solution.

One of the advantages of adopting an email package is that all councillors would have a common type email address, which give a professional look, for example:

[Freda.Bloogs@](#)

[Parish.Clerk@](#)

[Cllr.Bloogs@](#)

Adopting a package also has the following advantages:

- It can easily be compliant with GDPR, DPA18, FoIA, Cabinet Office and GDS.
- New staff can be assigned a new email address on taking up post.
- Leavers could have their email access removed immediately.

- Parish Clerk can have an email address that can be passed to new clerks without the need to change it. Vital for good governance practice.
- All emails can be archived for the required two years under law.
- All accounts can be configured to ensure compliance with law and our own policies.
- All emails could be standalone access as well as web-based access or integrated into a PC/Tablet/Smartphone email client.

Packaged Solution

It is clear that there are several packaged solutions, especially packages available that give the parish council various control required.

Microsoft do a business solution for emails that will ensure full compliance, and more importantly it is the government and its various departments.

<https://cloudblogs.microsoft.com/industry-blog/en-gb/-pc.government/2019/01/07/uk-public-sector-to-benefit-from-the-new-office-365-security-and-compliance-guidance/>

The suggested package comes with significant advantages, including

- Correct type email such as Freda.Bloogs@lbpc-pc.gov.uk
- 50Gb storage per email account.
- Web versions of Outlook, Word, Excel and PowerPoint, included in the price.
- Real-time co-authoring so multiple users can work in the same document, simultaneously as all document are stored in the cloud.
- Usable on PC, Tablets, Phones, etc.
- Significant secure 1Tb cloud space for document storage, archives, backup for the Parish Clerk.

- Teamwork for the various working groups
- SharePoint for document handling, such as policy documents.
- Calendar facility (all can see other people's commitments)
- Exchange Online Protection against spam, virus and malware
- 24/7 phone and online support

It is recognised that not all staff will need all the tools, but for the cost it will give those that do the right tools.

Cost Implications

We are confident enough that the skill sets that the current councillors and parish clerk have are more than enough to self-administer the domain, email and website.

However, we were keen to investigate the various managed options and obtained quotes from various IT companies that do manage IT for Parish Councils. Having looked at these, we would recommend that at this stage (and unless changed by the introduction of any legislation to the contrary), we self-administrate.

The quotes we have obtained are below:

(Please note these quotes do not include registrations or domain)

Parish Council Websites	£829 (only one email provided)
Parish Council Nets	£500 Initial Set Up £300 Annual Cost
Eyelid Productions	£100 per page, up to 10 pages (no email)
Nakedesign	£349 Initial Set Up £150 Annual Cost (no email)

Suggested Budgeted Cost Implications

All costs are exclusive of VAT.

Initial registration of the -pc.gov.uk domain with Nominet (for two years)	£80.00
Ongoing Registration of -pc.gov.uk domain with Nominet (year 3 onwards)	£40.00
Web Hosting	£150.00
Microsoft Office 365 Premium for 1 user (Annual Cost) *	£112.80
Microsoft Office 365 Essentials for 11 (Annual Cost) *	£501.60

* These costs appear to be at the same levels as those given by the UK Government Technology Services Group. Premium at £9.40 per month and Essential at £3.80 per month (Paid Annually)

It is suggested that the initial cost should be met from council reserves for one year only and factored into the next available precept thereafter.

It is envisaged that this ongoing cost should be covered in the Council Annual Precept as it is essential that the Parish Council has the correct systems to carry out its functions.

Approximate costs are

Year one £845 + VAT (cost as 14 Nov 19)

Year two onwards £795 + VAT (cost as 14 Nov 19)

We may be able to recover VAT costs under Section 33 of the VAT Act 1994, subject to the Parish registrations

It is essential that the systems are legal, are complaint, and, are robust.

It is clear that the combined regulations and guidance from the GDPR, DPA, FoIA, Cabinet Office and GDS have moved towards this, and it is something that gives us a defence if challenged by the Council Tax Payer, it has been enforced upon us, and is out of our hands.

Applicable Legislation and Guidance

General Data Protection Regulations 2016 (GDPR).

Freedom of Information Act (FoIA) 2000.

Data Protection Act 1996 (and amendments).

Data Protection Act 2018.

Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018.

The Local Audit and Accountability Act 2014

The Local Audit (Smaller Authorities) Regulations 2015

European Communications Act 1972.

Equality Act 2010

Local Government Association: Digital Communications

“Official information held in private email accounts” -Freedom of Information Act, The Information Commissioner’s Office, updated March 2017

Guidance for Local government: naming and registering websites, updated 28 November 2017

Cabinet Office Guidance on Public sector website accessibility statements updated 21 November 2018

Domain Registration

[View WHOIS](#)

[View availability](#)

WHOIS results

Domain name:

lynehamandbradenstokeparishcouncil.co.uk

Data validation:

Nominet was able to match the registrant's name and address against a 3rd party data source on 15-May-2014

Registrar:

GoDaddy.com, LLC. [Tag = GODADDY]

URL: <http://uk.godaddy.com>

Relevant dates:

Registered on: 15-May-2014

Expiry date: 15-May-2021

Last updated: 31-Oct-2019

Registration status:

Registered until expiry date.

Name servers:

ns27.domaincontrol.com

ns28.domaincontrol.com

WHOIS lookup made at 21:59:55 01-Nov-2019